PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 366

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2000–01

COMPRISING PERIOD
2 April—10 April 2001

£70

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2 April 2001

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FIFTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 366**

EIGHTH VOLUME OF SESSION 2000–01

House of Commons

Monday 2 April 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Means-testing

1. **Mr. Geoffrey Clifton-Brown** (Cotswold): If he will make a statement on changes to the proportion of benefits subject to means-testing since 1997. [154858]

The Secretary of State for Social Security (Mr. Alistair Darling): The proportion of spending on income-related benefits amounted to 17 per cent. in 1979. By 1996–97, it had more than doubled to 35 per cent. of benefit expenditure. This year, we expect it to be 29 per cent.

Mr. Clifton-Brown: I thank the Secretary of State for that answer. Nevertheless, will he concede that more than 50 per cent. of pensioner households depend on means-tested state benefits for three quarters of their income? Does he accept that the position is getting substantially worse? What does he intend to do about it?

Mr. Darling: I appreciate that the hon. Gentleman may have expected a different answer. The proportion of means-tested benefits is lower than it was when we took office four years ago. He asked about the pension credit. I make no apology for the fact that the credit means that, for the first time, pensioners who have saved a little money or have a modest occupational or works pension will be rewarded by the state instead of punished under the current system. I cannot understand why Conservative Members want to maintain that system, which is a disincentive to saving. We should encourage people to save for their retirement. The pension credit will ensure that those who do so are rewarded.

Mr. Peter L. Pike (Burnley): Have not this Government done more than any previous Government to ensure that the poorest people who are in need of most help receive it? They have done more than any previous Government to ensure that those who are entitled to benefits receive them. Is not that a good record of achievement for the Labour Government?

Mr. Darling: My hon. Friend is quite right. When Conservative Members say that they are against means-testing, they mean that they oppose giving more money to the people who need it most. From next week, about 2 million of the poorest pensioners will be at least £15 a week—nearly £800 a year—better off in real terms than in 1997. We should be proud of that record. We are on the way to eradicating pensioner poverty. We are rewarding saving and helping all pensioners through the benefits and tax systems.

Mr. Tim Boswell (Daventry): That is all window dressing. This week, the Government's brand new means test for incapacity benefit against occupational pensions income begins. Will the Secretary of State confirm that it

will hit up to 100,000 vulnerable people? Does not he also believe that it will send a deplorable signal to those who contemplate prudently making provision for their future?

Mr. Darling: No, I do not. People who retire on occupational pension incomes of more than £85 a week should make a contribution towards their incomes if they have to retire early. The hon. Gentleman described the measures that I outlined to help pensioners as window dressing. That speaks volumes for the Conservative party's attitude. Does he believe that the minimum income guarantee, which gives £15 more a week to nearly 2 million pensioners, is window dressing? The winter fuel payment of £200 is paid to every pensioner household. Is that window dressing? People can see the shape of things to come. If the Conservatives were ever re-elected, they would get rid of the minimum income guarantee, the winter fuel payment and many other measures that benefit millions of pensioner households.

Benefit Reform

2. **Ms Rosie Winterton** (Doncaster, Central): What steps he is taking to reform social security benefits in order to assist people to return to work. [154859]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The claimant count is now below 1 million for the first time since December 1975, with unemployment falling in every region. We have introduced reforms in the tax and benefit systems to make it easier to move into work and to ensure that work pays.

We have just announced the creation of "jobcentre plus", which will unite employment services with benefits services for people of working age. There will be 50 pathfinder offices by October.

Ms Winterton: I thank my hon. Friend for that reply. I know from speaking this morning to the manager of the jobcentre in Doncaster that the changes that were announced today, especially the change that enables claimants who wish to take up temporary work to return to benefits more easily, will make a genuine difference to helping to get people back to work. It will give people greater confidence about taking up temporary work and thus gaining greater experience and skills, enabling them to get a permanent job.

If the scheme is as successful as the manager of the jobcentre in Doncaster believes that it will prove, will my hon. Friend consider extending it to other claimants such as those on incapacity benefit and income support?

Angela Eagle: My hon. Friend makes a good point. There are more people in work than ever before—the figure has increased by 1.2 million since the election—but we want to ensure that the chance to work and the opportunity to make work pay apply to even more people. Rapid reclaim, which allows people to return to benefits more quickly if jobs do not last longer than 12 weeks, will make a good contribution to that. We will evaluate its operation and, if there is a good case for extending it, we will consider doing so.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the Minister confirm that one of the biggest remaining hurdles in the way of getting young people in particular off benefit and into work is the operation of some of the housing benefit rules? Will she confirm that the Government are considering an amendment to the single room rent restriction on the level of housing benefit available to young people? Is she aware that there is some suspicion in the pressure group community that consultation on that will not be adequate, leading pressure groups to believe that relaxation of the restrictions will not amount to very much?

Angela Eagle: I would have hoped that the hon. Gentleman would welcome the relaxation of the single room rent restriction, which extends it to properties that actually exist. The shared room rent provision, which we hope will be in operation by July this year, will give single under-25s having difficulty finding rented accommodation much more chance to do so.

Mr. Dale Campbell-Savours (Workington): What additional guidance is being given to benefit offices in counties such as Cumbria—and, in particular, the Lake district—to deal with the very large increase in inquiries from people who own or work for businesses?

Angela Eagle: We have issued instructions to all benefit offices in the areas affected by foot and mouth to make clear the rules for those claiming jobseeker's allowance and for the self-employed. Benefits Agency offices must also ensure that any claims made as a result of the foot and mouth outbreak are dealt with quickly, sensitively and flexibly.

Mr. Eric Pickles (Brentwood and Ongar): I have to tell the hon. Lady that that is not the case. When claimants make inquiries, they find that benefit offices are unaware of the flexibility rules. Will the Minister ensure that that flexibility is made known, particularly when claimants are referred by the rural hotline to local offices and receive no advice from them? Does she understand that basing this provision only in infected areas is a poor way of distributing social security benefits? A business can be greatly affected by foot and mouth but be outside the infected area: it can be a matter of just a few yards. Does the Minister regard as not particularly sensitive the advice given by local officers either to move a business into an affected area or to go bankrupt?

Will the Minister also ensure that the Secretary of State makes representations to the Chancellor to ensure that companies paying out working families tax credit to their employees receive a quick return from the Government? The cash flow and viability of rural businesses are being adversely affected when that does not happen.

Angela Eagle: We are certainly not issuing advice that businesses should go bankrupt to claim benefits. If the hon. Gentleman wishes to bring examples to my attention, I shall happily deal with them. However, I re-emphasise that special advice has been issued to officers in affected areas. We are in the middle of preparing extra information, which we shall make available, perhaps through local newspapers, about likely entitlements for people in particular circumstances, especially if they are self-employed. We believe that the most confusion

probably surrounds that category; employees who have been laid off certainly have a simpler way through the system. We shall make that information available, but if the hon. Gentleman can let me have examples of cases that have gone wrong, I shall ensure that such problems do not recur.

Pension Credit

3. **Mr. Phil Hope** (Corby): What impact the pension credit will have on helping middle-income pensioners. [154860]

The Secretary of State for Social Security (Mr. Alistair Darling): The pension credit will provide a cash addition to reward saving for single pensioners with incomes up to £135 a week and for couples on incomes of £200 a week. The credit will ensure that it will pay to save.

Mr. Hope: I thank my right hon. Friend for his reply. A number of former steelworkers in my constituency receive occupational pensions that lift their incomes above the level of the minimum income guarantee. They visited my surgery and, being good Labour supporters, they supported the work that we are doing for the poorest pensioners. However, they were concerned about the way in which the system operates at the moment, whereby they are always being penalised for having saved for their retirement while they were working. We know that the Tories' proposed tax relief on savings would not benefit them at all, but will my right hon. Friend tell us how the pension credit will help those with small occupational pensions that take their income above the level of the minimum income guarantee? Will he also tell us whether, when it is introduced, it will be simple to understand and easy to claim?

Mr. Darling: My hon. Friend raises a point that I suspect will be familiar to most Members of the House. We have all met people with a modest amount saved in a bank or building society and, perhaps, a small occupational or works pension who think that, under the system that we inherited, they are not being helped through the social security system. The pension credit will ensure that if people have put money by, they will not be penalised for having done so. There will be no tariff income—the notional income that the social security system assumes pensioners receive from their savings. Indeed, from April, we are increasing the capital limits as a first stage; as a result, people who are already on the minimum income guarantee will be some £6.30 a week better off.

The object of the pension credit is to ensure that those who have saved are rewarded for their saving by receiving an additional cash top-up. As part of our proposals, some 3 million pensioners will gain because of the tax changes that we are making as we introduce the credit itself.

Mr. Julian Brazier (Canterbury): Does the Secretary of State acknowledge no inconsistency at all between stripping £5 billion out of occupational and personal pension schemes and making such a small repayment subject to filling in a hugely complicated set of forms? Will he confirm that the savings ratio is close to a 40-year low?

Mr. Darling: One of the consequences of making the changes to corporation tax to which the hon. Gentleman refers is that we have been able to reduce corporation tax to its lowest-ever rate and, I think, the lowest rate among all our major competitors. The Conservatives never did that.

The credit will not be complicated. As the hon. Gentleman knows, all pensioners have to be written to when they retire to let them know how much pension they have accrued over the years. At the same time, we can calculate how much credit they are due, to reward them for their thrift. I cannot understand why he and his hon. Friends want to maintain a system under which, if people have saved and done exactly what successive Governments have told them to do over the years, they get punished for it. There cannot be any sense in that. The pension credit will mean that, for the first time, those who save money will get a cash top-up—a reward from the state—and that must be the right approach to encourage saving.

Mr. Andy King (Rugby and Kenilworth): I am glad that my right hon. Friend has clarified the issue in relation to income from savings because, like my hon. Friend the Member for Corby (Mr. Hope), many visitors to my surgery have said, "I have lost out time and again because I live off some capital. I am just above the social security threshold." How many additional pensioners who lose out because of the capital thresholds will benefit from the pension credit?

Mr. Darling: More than 5 million pensioner households will gain as a result of the credit, but the issue is pretty clear. Under the system that we are introducing and under the pension credit, those who save money and who have a modest occupational pension or other income will be rewarded for their thrift; under the Conservatives, they would continue to be punished. I cannot understand the logic in the Conservative position.

Mr. Edward Leigh (Gainsborough): What proportion of middle income pensioners are on means-tested benefits, and what will be the proportion in 2003?

Mr. Darling: That brings us back to the point that we have made over and over again. The Conservatives oppose means-tested benefits because people are getting more money. The minimum income guarantee would never have been introduced under a Conservative Administration. If there were to be a Conservative Government, there would be no minimum income guarantee.

We wanted to eradicate pensioner poverty, which is why we introduced the minimum income guarantee. We also wanted to ensure that the vast majority of pensioners who had saved money and had a little in the bank were rewarded for their thrift. It is surprising that the Conservatives should find that a laughing matter. Most of us believe it to be a matter of concern. We want to reward thrift, not punish it. The divisions between the two parties are abundantly clear: if we are returned to government, pensioners will be rewarded for their thrift; if the Tories get back in, the same system will continue year after year after year.

Pensioner Poverty

5. **Maria Eagle** (Liverpool, Garston): What progress is being made to eradicate pensioner poverty. [154862]

The Secretary of State for Social Security (Mr. Alistair Darling): About 2 million of the poorest pensioner households are now at least £15 a week, or £800 a year, better off in real terms as a result of Government measures introduced since the last election. The Pension Service, which I am announcing today, will also help the Government's drive to eradicate pensioner poverty.

Maria Eagle: Does my right hon. Friend know how much the winter fuel payment is appreciated in my south Liverpool constituency? Unlike Conservative Members, pensioners there view it not as a gimmick or as window dressing, but as a guarantee of warmth without worry during the winter months. What assurance can my right hon. Friend give that a Labour Government will retain and build on that payment—unlike the Conservatives, who, if they were returned to power, would sneer at it and abolish it?

Mr. Darling: My hon. Friend is right: even this afternoon, the Conservatives have reminded us that they regard such measures as "window dressing" or gimmicks.

The fact is that 11 million winter fuel payments have been made this year. The payment has proved immensely popular, which is presumably why the hon. Member for Havant (Mr. Willetts), the Conservative spokesman on social security, had to revise his policy sharply. He is now in the unhappy position of finding that the pensions policy that he announced last May is in tatters, and instead is offering us a bureaucratic nightmare that would require every pensioner household to seek an accountant's advice before deciding whether to take the winter fuel payment in cash or to have it consolidated.

We have made it clear that eradicating pensioner poverty, and dealing with pensioner fuel poverty, is of the utmost importance. That is why we introduced the winter fuel payment. I think people are pretty clear about what the Tories really think of the payment, and what would happen to it if they were returned to power.

Mr. Steve Webb (Northavon): The hon. Member for Liverpool, Garston (Maria Eagle) called on the Secretary of State to build on the winter fuel payment. Will he confirm that his departmental expenditure plans show that spending on the payment will fall by a quarter next winter, because it will be cut from £200 to £150? Is that what he means by "building on it"?

Mr. Darling: I never cease to be amazed by the Liberal Democrats' views on these matters. We have delivered far more for pensioners than the Liberal Democrats have ever promised, even with the extra penny on income tax that was to be spent on this, that and the other.

The hon. Gentleman will know that every autumn we announce the uprating for pensioners, and at the same time announce the amount of the winter fuel payment. I have every confidence that pensioners who support us will have their faith in us amply rewarded yet again.

Mr. Lawrie Quinn (Scarborough and Whitby): My right hon. Friend knows only too well how many pensioners in my constituency have been helped by the Government's initiatives, but he also knows of my concern about pensioners who are not claiming their full entitlement. How does his Department propose to ensure that there is clear, easily understood information, so that pensioners can claim what is right for them—which is an entitlement and not, as the Conservatives would suggest, a handout?

Mr. Darling: The new Pension Service, which will be a dedicated service for pensioners, will, among other things, focus on how better to get across to people what is their entitlement. As a first step, the minimum income guarantee claim form, which was more than 40 pages long when originally introduced, has now been shortened to just 10 pages. Pensioners can also claim their entitlement by telephoning, and in future will be able to do so by other means as well.

We are anxious for two things to happen: we want pensioners to receive their entitlement, and we want that entitlement to be there in the first place. We will ensure that both the minimum income guarantee and the winter fuel payment, as well as other measures, are available to boost pensioners' incomes in retirement. That is crucial not just to Labour Members but, I believe, to the country as a whole.

Mrs. Jacqui Lait (Beckenham): The Government introduced stakeholder pensions to try to eradicate future pensioner poverty. Has the Secretary of State seen the Prudential's estimate that 46,000 employers are not planning to offer such pensions? What methods of persuasion does he plan to use—or will he rely entirely on the fines of up to £50,000 that would bring the Treasury between £2.3 billion and £4 billion, representing about 2p on the basic rate of tax? Who will be responsible for enforcing the fines: the Department, the Benefits Agency or the Revenue? Is this the friendly face to business of the Labour Government or is it the overweening arrogance of the state?

Mr. Darling: The hon. Lady was right on one point: stakeholder pensions will help to reduce the number of pensioners dependent on means-tested benefits at or near to retirement. I hope that she can find it in her heart to support stakeholder pensions, because they provide a very good option for people who do not at present have a funded pension option.

The hon. Lady asked what we were doing to ensure that employers are aware of their obligations. Their obligation is straightforward: if they employ five or more people, they simply have to designate a stakeholder pension scheme. The Government have written to people and advertised, and companies have pointed out to employers the advantages of providing good-quality pension schemes. The combination of all those actions will have an effect, but the best way of selling any pensions product is for people to see that it works. As stakeholder pensions begin to be sold and people become more aware of their advantages, many more employers will want to ensure that their employees get the benefit of them.

Benefit Take-up

6. **Mr. Gordon Prentice** (Pendle): What research he has commissioned to ascertain the reasons for the variations in take-up of targeted benefits. [154863]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): We are always doing research—the Department commissions it—to understand the reasons for non-take-up of benefits and the circumstances of those whom the benefits aim to assist.

All findings from research undertaken by the Department are published and placed in the House of Commons Library. They have led to the redesign of forms: my right hon. Friend the Secretary of State gave the example of the income support form and the minimum income guarantee claim form, which was reduced from 40 pages to 10 in the current pilot, which will be in general use later this year.

Mr. Prentice: I recognise that the Government have done a huge amount for pensioners, but when, as my right hon. Friend said, the MIG claim form was 40 pages long, now reduced to 10, is it any wonder that there were 500,000 pensioners out there entitled to MIG but not claiming it? After a campaign that cost an arm and a leg, and the sending out of 2.4 million letters, there is still a substantial number of poor pensioners not claiming their entitlement. Why do not we embrace what I believe is the Liberal Democrat policy of making MIG universal for the over-80s, clawing back the money from those who can afford it?

Mr. Rooker: Tens of thousands of pensioners are better off by £20 a week following the MIG take-up campaign, although we do not have final figures and it is not always easy to disaggregate those who have walked into a Benefits Agency office or telephoned us from those who have called the hotline. We wrote to 2 million pensioners and had about 800,000 responses, so we have a database of more than 100,000 people who missed out because their capital was too great. Next week, when the capital limits change, they will be eligible for MIG. We can make direct contact with those who responded to our campaign, and we can get more money to the least well-off pensioners. That is what we intend to do. If we spread the money right across everybody, the increase would certainly not average £20 a head.

Mr. Stephen O'Brien (Eddisbury): When I tabled Question 19, asking the Government to ensure that all pensioners receive their winter fuel allowance before the end of this winter, it was before the end of the winter. Now, it is past the end of the winter. With reference to the variations in take-up of targeted benefits, what does the Minister say to all those who have yet to receive last winter's winter fuel payment? Is the hope that they will simply receive £50 less the next winter?

Mr. Rooker: The only people who will not have received the winter fuel payments for last winter are those who had to claim.

Mr. O'Brien: Exactly.

Mr. Rooker: Some people choose not to claim. Some men between 60 and 64, perhaps in full-time occupations, have chosen not to claim. Anyone who claims will be paid: 11 million were paid automatically before Christmas. We are dealing with the claims as they come in. If people choose not to claim, that is up to them.

Mr. Ian Davidson (Glasgow, Pollok): Has any research been undertaken into how pensioners hear about the minimum income guarantee? Is my right hon. Friend aware that in my constituency I have worked with the churches and distributed 20,000 leaflets to everyone attending church over the past three weeks to make them aware of the minimum income guarantee? We have been struck by the number of pensioners who were not previously aware of the benefit. What research is he undertaking to see what role the voluntary sector can play in making pensioners more aware of these benefits?

Mr. Rooker: I applaud the role played by the voluntary sector all over the country and by local authorities. Central Government have, for the first time ever, run a take-up campaign by writing directly to 2.3 million individual named pensioners, almost 900,000 of whom responded. In addition, along with other forms of advertising, there was the television campaign with Thora Hird, Peter Sallis and, in Wales, Nerys Hughes, which was well received. We have done our level best to reach as many pensioners as possible, which is borne out by those who have made successful claims. The average person who made a successful claim is £20 a week better off. That is the best testimony to our efforts.

Mr. David Willetts (Havant): Will the Minister confirm that 500,000 pensioners are entitled to the minimum income guarantee on the basis of the current rules but do not take it up, 400,000 families are entitled to the working families tax credit but do not take it up and 1 million families are entitled to the children's tax credit but do not take it up? The Government have only one take-up campaign that is working—their campaign on fraud. Their own evaluation shows that it has led people to believe that benefit fraud is easy to commit. We have the scandal of decent people being put off getting benefits by the sheer complexity of the system while fraudsters exploit that very complexity, encouraged by one of the most misconceived and ineffective advertising campaigns that a Government have ever undertaken.

Mr. Rooker: I am confirming nothing of the kind. I am not claiming that by directly contacting more than 2.3 million pensioners, we reached every pensioner who might be eligible. However, it is the first time that any Government have ever attempted to get to the poorest pensioners in that way. They are real people with names and addresses. The figure of 500,000 is an extrapolation from a 5 per cent. survey built on figures that cannot always be checked by the Department, so I am not confirming any of the hon. Gentleman's figures.

Mr. Willetts: The Minister refuses to confirm figures that he has given to the House of Commons in written answers. Let us see whether he will confirm the following figures on the costs of his Department's advertising campaigns. He said in a written answer on 26 February that the cost of all these take-up campaigns in 2000-01 was £11 million. In another written answer on 19 March, the figure had gone up to £14 million. In the departmental

report out last Friday, the figure had risen to £21 million. Which is the correct figure? Is not the truth that not only are his take-up campaigns useless but so are his parliamentary answers on how much they cost?

Mr. Rooker: I went back and checked the first written answer to which the hon. Gentleman referred. He did not read out the whole answer. The average cost of advertising in my Department in the four years since the Government took office is exactly the same as that spent by the previous Government in their last four years. They object to the fact that because we have got to grips with their legacy, we have needed to advertise more. We did not waste money advertising in the first couple of years. We have hardly spent a penny more than the previous Government did in their last four years of office. *[Interruption.]* No. I will stick to what I said. The Government contacted 2.3 million real people. Whatever the Conservatives might say, and whatever answers we might give on the best evidence that we have from statistical surveys, with the best will in the world, and without attacking the professionals, statistical surveys that have been extrapolated are exactly that—statistical surveys. They are not real people with real names and addresses. The Government went to 2.3 million real people with real names and addresses. That does not apply to the 500,000 hocus-pocus figure that the hon. Gentleman mentioned. *[Interruption.]*

No; that is a statistical extrapolation. It is a legitimate figure, but it is not real people with real names and addresses.

Vaccine Damage Payment Scheme

7. **Mr. Ian Stewart** (Eccles): What progress is being made with the implementation of changes to the vaccine damage payment scheme. [154864]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): In July 2000, we increased the amount of the vaccine damage payment to £100,000, which is a very considerable increase on the £30,000 that we inherited in 1997. Subsequently, we have made 804 top-up payments to past recipients, to a value of more than £53 million. We intend to make the remaining outstanding changes to the disability threshold and time limits for claiming a payment in a regulatory reform order that will be provided for by the Regulatory Reform Bill, which is currently before the House.

Mr. Stewart: I thank my hon. Friend for that answer. It is good to hear that the Government are keeping their promise to legislate by regulation on the threshold and the time limit. Will the Government tag that regulation on to either of the two social security Bills that the House is currently considering?

Mr. Bayley: First, I pay tribute to my hon. Friend, who led a magnificent campaign on behalf of the families of those very unfortunate people. Nothing, of course, can make up for their suffering, but we are determined to improve the payment scheme. We will get that legislation through the House using a regulatory reform order as soon as we can—subject, of course, to the House agreeing the Regulatory Reform Bill. I am confident, however, that the House will agree that measure. The official Opposition have already made statements confirming that they will help us to pass those improvements to the scheme as quickly as possible, and I am sure that they will honour those commitments.

Mr. Dafydd Wigley (Caernarfon): Does the Minister accept that some of those people have been waiting some time to receive that assistance, that time is of the essence, and that it is important that payments are made as quickly as possible after the orders have been passed? Will he also give an undertaking that, despite any changes, there will be no question of compensation clawback being allowed to reduce the money that is paid?

Mr. Bayley: On the latter point, provided that the victim of vaccine damage is still alive, it is possible to put the money into trust. If the money is put into trust, there would be no question of a consequential abatement of social security benefits. The vast majority of the higher-rate claims that we have received have been paid. There has been a delay only in cases in which we are going through the process of establishing trusts to achieve precisely the outcome that the right hon. Gentleman wants—to ensure that income support or other income-related benefits will not be abated because of capital being taken into account.

Mr. Michael Fabricant (Lichfield): I welcome the Government's commitment—which was, and is supported by the Conservative party—to ensure that there is compensation for those who are suffering from vaccine damage. However, what action will the Government take to ensure that people are aware of the availability of compensation schemes? Will they use Thora Hird and Nerys Hughes to do that? What will the Government do to ensure that the families and individuals who have been so blighted by vaccine damage can apply for compensation?

Mr. Bayley: The hon. Gentleman rather undermines his argument that there is a bipartisan approach to the issue. The current Government, not the previous one, have made a very substantial improvement to the vaccine damage scheme that has been welcomed by hon. Members on both sides of the House. Claims are made because people are aware of the vaccine damage payment scheme. Fortunately and thankfully, however, not many claims are made because very few people are damaged. However, when there is damage, payments can be made. Only recently, I announced to the House another extension to the scheme, in relation to vaccinations for meningitis C.

Means-testing

9. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the means-testing of benefits. [154866]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Investment in income-related benefits such as the minimum income guarantee and the disability income guarantee has provided the most effective and immediate way of tackling poverty.

Mr. Brady: I am grateful to the Minister. Can he confirm that under the pension credit proposals, a person

who has saved £75,000 in a pension fund will be just £6 a week better off than somebody who has saved nothing at all?

Mr. Bayley: That comes badly from a party that never proposed introducing pension credit, that never proposed rewarding savings and that is happy that people who pay into pension schemes and save capital should get no benefit from the state at all. We do not share the view of the Conservative party; that is why we made our proposals for pension credit—so that those who save to provide for themselves in old age see a real benefit from doing so.

Mr. Paul Goggins (Wythenshawe and Sale, East): Will my hon. Friend please ignore the comments of the Opposition and their allegations about increasing means-testing? He will be aware that, since the last general election, the number of people in households forced to depend on income support and jobseeker's allowance has fallen by more than 1 million. That total includes 400,000 children. Is not that a sign that the Government are tackling poverty and that the Opposition's claims are wrong?

Mr. Bayley: One of the real indictments of the previous Government was that the number of children living in poverty trebled. One of the things that the Labour Government will be remembered for is that our policies—not least the welfare-to-work policies, but a whole range of fiscal and benefit policies too—have meant that 1.2 million children, who under the Conservatives were living in poverty, have been removed from living in poverty. That is as a result of the work of the Government.

Mr. Andrew Rowe (Faversham and Mid-Kent): I get quite a lot of real people with real addresses in my surgeries. One of the things that they complain most bitterly about is that whenever they come into contact with the social security system, not only do their letters get lost but they have to deal with a different person each time they go back into the system. Are there any plans to improve the system so that people can relate to the same person each time they have a problem?

Mr. Bayley: Yes, indeed there are—changes that the Conservatives did not make when they were in government. We are creating a working age agency to provide just such a service for clients: not just dumping them on benefits and leaving them in a labyrinthine system that provides no support, but providing personal advisers who will help clients both to deal with their benefit problems and to get back to work.

Social Fund

10. **Mr. Hilary Benn** (Leeds, Central): If he will make a statement on the operation of the social fund. [154867]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Our drive to modernise and improve the social fund is already benefiting those in greatest need.

Today, I am pleased to announce that the budget for the discretionary social fund will be more than £620 million for the coming year. That is an increase of almost £25 million over last April's allocation and includes a rise in the community care grant budget of £3 million. That will provide more help to grant applicants, especially families with children and disabled people. It contrasts with the £90 million Tory raid on the social fund that will hit hardest the poorest and most vulnerable.

Mr. Benn: I am grateful to my hon. Friend for that reply. I am sure that the increase in resources for the social fund that she has just announced will be widely welcomed. However, she will be aware that those who cannot get help from the social fund often face extortionate rates of interest when borrowing from elsewhere. Will she look at ways in which the social fund might link with other forms of low-cost credit, so that we as a society stop placing the highest costs on those who already have least?

Angela Eagle: I welcome my hon. Friend's observations. We believe that micro-credit, local credit unions and local exchange and trading schemes—LETS—all have a valuable role to play in assisting people on low incomes with access to borrowing small amounts. We are considering how all those provisions can interact sensibly with the benefits system.

Dr. Vincent Cable (Twickenham): As the Government intend to combine the Benefits Agency and the Employment Service to provide an integrated service for working people, what will happen, in that system, to the social fund, which caters to that group and also to a wider group of people in need? What assurance can the Minister give us that the fund will not simply fall through the cracks in the benefits system?

Angela Eagle: I can assure the hon. Gentleman that the social fund will not fall through the cracks in the benefits system. I remind him that the vast majority of the discretionary social fund is spent on people of working age, and we shall certainly ensure that in changing the system and its administration—when we separate the working age agency from the pensions directorate—the social fund is adequately provided for and administered.

Mr. Christopher Leslie (Shipley): Is not the social fund an example of the most basic necessary safety net that we have in our welfare system, as it provides help with furniture, cookers and even funeral payments? What does my hon. Friend think is the dogmatic motivation behind the Conservative party's proposing such an enormous cut in that benefit?

Angela Eagle: Taking £90 million out of the social fund would undoubtedly have a devastating effect because so much less money would be available to the poorest and most vulnerable people in society. The figures show that 50 per cent. of those who claim from the discretionary social fund are lone parents with children, so it is important to realise that the Tory policy of raiding £90 million from the social fund would hit the poorest and most vulnerable people hardest.

Stakeholder Pensions

11. **Mr. Peter Lilley** (Hitchin and Harpenden): What rebate will be payable into a stakeholder pension for an employee earning *(a)* £9,000 and *(b)* £10,000 per annum who opts out of the state second pension. [154868]

The Secretary of State for Social Security (Mr. Alistair Darling): As the right hon. Gentleman will know, the amount of rebate payable into a stakeholder pension that is contracted out of the state second pension will vary according to the age of the person concerned.

Mr. Lilley: If the original purpose of the stakeholder pension was to enable those on low earnings to opt out of the state system into privately funded pensions, why does it discriminate in practice against those on low earnings? Will the right hon. Gentleman confirm that, whereas those with earnings of more than £10,000 will receive a rebate sufficient to buy a pension equivalent to the state pension that they forgo, those with earnings of less than £10,000 will receive only a partial rebate and, therefore, will be discriminated against? Is not that unfair, unnecessary and likely to lead to the sort of mis-selling that *The Sunday Times* said in an article was widespread as a direct result of the Government's policy?

Mr. Darling: I know that the right hon. Gentleman has been engaging in quite a lot of revisionism recently, but he really does have a brass neck to lecture us about the mis-selling of pensions. Let me answer his question on stakeholder pensions. First, he is wrong on a fundamental point: we have always said that people on low incomes earning about £10,000 or less would do better to go into the state second pension, which doubles—and, in some cases, trebles—the amount of money that they would have received under the state earnings-related pension scheme, which we have now reformed. So low earners ought to be in the state second pension. The stakeholder pension is designed for middle and higher earners, and he is right to say that those earning approximately between £10,000 and £22,000 a year will benefit from an enhanced rebate. But it is not only on the mis-selling of pensions that he is a little forgetful, because on 21 February this year, he gave an interview to the *Financial Adviser* and said:

"Stakeholder pensions should give savers more 'bang' for their buck.

Savers should see less of their contributions absorbed by costs and more being invested in assets which, other things being equal, will mean higher pensions when they retire."

He also said:

"I would be more than surprised if a future Tory government even contemplated abolishing stakeholder pensions."

Means-tested Benefits (Take-up)

12. **Mr. John Wilkinson** (Ruislip-Northwood): What measures he proposes to introduce to increase the take-up by those eligible for means-tested welfare benefits. [154869]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): We actively encourage people to claim the benefits to which they are entitled.

Mr. Wilkinson: Why was it then that the Minister of State gave such a disingenuous answer to the hon. Member for Pendle (Mr. Prentice), when he said that his Department did not have final figures on minimum income guarantee take-up? Is it not the case that such figures were made available in an answer given to my hon. Friend the shadow Secretary of State on 5 March, which showed that out of the 840,000 people who made inquiries, only 82,000 were eligible and took up benefits? There was a cost of about £15 million. Is it not clear that that is a gross waste of taxpayers' money? Could not the system operate more effectively?

Angela Eagle: I am surprised that the hon. Gentleman thinks that making 82,000 people, on average, £20 a week better off—after being left in poverty as a result of the neglect of the previous Conservative Government—is not worth celebrating. Since the campaign is not yet over, the figures that we have given so far will not be the final figures. Next week, we will double the capital limit, which will ensure that more people are eligible for the minimum income guarantee. That stands in contrast with the Conservatives, who froze the capital limits for a decade when they were in office.

Minimum Income Guarantee

13. **Mr. John Randall** (Uxbridge): If he will make a statement on the minimum income guarantee take-up campaign. [154870]

16. **Mr. Huw Edwards** (Monmouth): If he will make a statement about the take-up of the minimum income guarantee for pensioners. [154873]

The Secretary of State for Social Security (Mr. Alistair Darling): Two million pensioners are now £15 a week better off as a direct result of what the Government have done since 1997. The minimum income guarantee take-up campaign has encouraged thousands to claim, and resulted in significant improvements to the service delivered to pensioners.

Mr. Randall: Does the Secretary of State agree that one of the reasons for the rather disappointing take-up after the costly campaigns is that elderly people find the whole idea of means-testing extremely demeaning?

Mr. Darling: No, I do not. As my right hon. Friend the Minister of State said, just over 900,000 people have responded as a result of our advertising campaign. If stigma or a reluctance to claim were the problem, 900,000 people would not have responded. The facts rather contradict the argument of the hon. Gentleman. The big problem that the Conservatives have is not that they are somehow concerned about means-tested benefits, but that they do not like paying more money to people who need help and would take it away if they got back in.

Mr. Edwards: Does my right hon. Friend agree that around 50 per cent. of women pensioners do not get the full pension because they could not or did not pay full national insurance contributions and that the minimum income guarantee for pensioners—far from being a gimmick or window-dressing—is an important way of

redressing the disadvantages that women have experienced from the social security system and the labour market?

Mr. Darling: My hon. Friend is right to draw attention to one of the problems of the present pension system. The basic state pension has many strengths and attractions, but one of its weaknesses is that someone without the required number of contributions will not get a full pension. Many women—particularly those who did not pay the full contributions up until 1977—are retiring with pensions that are below even the basic state pension. We introduced the minimum income guarantee to make sure that all pensioners were guaranteed just that; a minimum, from next week, of more than £92 a week. The pension credit will be of great help to women who have some savings. As it will increase in line with earnings, it will benefit women significantly. All those measures are, of course, opposed by the Conservative party.

Mr. Desmond Swayne (New Forest, West): Can the Secretary of State now give us an answer to the question asked by my hon. Friend the Member for Gainsborough (Mr. Leigh) by saying what proportion of pensioners are on means-tested benefits now, and what proportion will be on such benefits in 2003?

Mr. Darling: The answer is about 9 per cent. I make no apology for the fact that we are paying more money than ever before to pensioners whose incomes were so low that they had to depend on income support. Unlike the Conservative party, we are determined to spend more on helping the pensioners who need help most, as well as making the long-term reforms to the pension system that were long overdue. We will change the social security system so that the pension credit ensures that people who have saved or put a little money by are rewarded for their thrift. Every one of those measures has been opposed by the Conservative party.

Pension Credit

15. **Mr. Paul Flynn** (Newport, West): If he will bring forward the date for the introduction of the pension credit. [154872]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I have to say no. The introduction of the pension credit will require primary legislation; it is not possible to introduce it by order. We have consulted and we shall shortly bring our proposals to the House, and we shall do so as soon as practicable. Legislation and planning will then be required. Therefore, it is not possible to introduce the pension credit before our planned date of 2003.

Mr. Flynn: Have not the Government achieved a triple crown of improvements for pensioners? They have introduced the £200 winter fuel payment; the biggest increase in the basic pension for 25 years, which we hope will continue; and the pension credit, which will, for the first time ever, give those pensioners who have paid into private pensions all their lives real benefit from those contributions. It is marvellous that that injustice will end. In the extra time that we have in this Parliament, is it possible to get some swift legislation through?

Mr. Rooker: That is a matter for the business managers. However, we will introduce the proposals that result from the consultation as soon as we possibly can. The introduction of the pension credit will, for the first time since 1948, ensure that it pays to save. The way that the welfare state has worked—Ministers were never honest enough to admit it—meant that it has never paid to save for people on moderate earnings and small pensions. With the pension credit, it will pay to save for the first time. That is a great tribute to the work of this Government in this Parliament.

Sir Sydney Chapman (Chipping Barnet): Will the Minister reflect on the fact that his initial answer to the hon. Member for Newport, West (Mr. Flynn) was not very convincing? Surely, if the House has the will, legislation can be passed quickly. Will the Minister therefore re-examine the possibility of introducing the credit in 2002? In addition, what is his estimate of the effect that the pension credit will have on Treasury funds, and what is that when we remember the £5 billion tax raid that the Government have perpetrated on pension funds?

Mr. Rooker: The hon. Gentleman misunderstands the position. The consultation has taken several months and we have received more than 400 submissions on the pension credit. We have not yet announced our final decision as to the shape of the credit. Although I would like to answer his question in detail, I cannot because the mechanics of the finances of the pension credit have to take account of the consultation and its interaction with other benefits, such as council tax benefit and housing benefit. Only after we have made our announcement on the policy can we instruct the parliamentary draftsman to get to work on drafting primary legislation. That is why we cannot do what the hon. Gentleman suggests.

I would also caution against rushing. More than half the pensioners in this country will benefit from the pension credit. Therefore, it is crucial that, when it is delivered, it works. If we rush it and it does not work, no one will thank us.

Child Benefit

17. **Mr. Andrew Miller** (Ellesmere Port and Neston): If he will make a statement on take-up of child benefit since 1997. [154874]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Child benefit is paid to more than 7 million families: virtually all families with children receive it. Since 1997, we have increased the rate of child benefit for the first child by 26 per cent. in real terms—to £15 a week. From next week, this will increase again to £15.50 and to £10.35 for all other children.

Mr. Miller: For the 10,500 families in Ellesmere Port and Neston who gain from child benefit, that sum represents an extra expenditure over and above inflation of more than £1.5 million since 1997. It is truly welcome. However, will my hon. Friend ensure that, when future programmes in other parts of the Department's work are considered, special attention is given to those areas of my constituency where there is still child poverty?

Angela Eagle: It is one of the Government's aims to end child poverty within 20 years, and more than 1 million children will be lifted out of poverty in this Parliament. Therefore, we are on track to achieve our aim. The Tories tripled child poverty during their time in office, and I contrast our record on child benefit and the increase of 26 per cent. with the three-year freeze in child benefit between 1988 and 1990 that was the Tory legacy.

Mr. John Bercow (Buckingham): What proportion of wealthy households do not claim child benefit?

Angela Eagle: Child benefit claim rates are almost 100 per cent.

Pensioner Poverty

20. **Mr. Brian White** (Milton Keynes, North-East): What progress is being made to combat pensioner poverty. [154878]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): The answer is simple: our record speaks volumes, as the whole of the past hour has shown. More than 2 million of the poorest pensioners in this country are now at least £15 a week or £800 a year better off in real terms. People on the basic minimum income guarantee receive £78.45 this week. Next week, their income will go up to £92.15.

Mr. White: The pension credit will bring many more people out of poverty, but will my right hon. Friend say what he is doing for those people prior to the introduction of the credit?

Mr. Rooker: As my hon. Friend knows, there will be further increases as the transition to pension credit is effected. That is why there has been an increase in the basic state pension this year that is over and above both the earnings link and the prices link. In addition, we are in any event committed to raising the minimum income guarantee in line with earnings.

Local Elections

3.31 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a statement about the deferral of the local government elections, which were due to take place next month.

On 3 May, elections for 34 English county councils and 11 English unitary authorities were scheduled, and slightly less than a fortnight later, on Wednesday 16 May, elections for 26 district councils in Northern Ireland were also due. However, the House will be aware of the considerable scale of representations that we have received to defer those elections because of foot and mouth disease. As my right hon. Friend the Prime Minister has now made clear, we have listened very carefully to those representations.

We judge that, in terms of practical arrangements, polling in May would be possible and would produce fair results. Following changes to the law brought into force on 16 February, postal votes in England and Wales are now available on demand to any voter. With a handful of exceptions, schools—in which many polling stations are sited—have remained open and operational in all foot and mouth disease areas. Moreover, as all of us are aware, the form of election campaigns has changed over the years: for example, telephone canvassing is now a key way in which voters in rural and urban areas are contacted by candidates and political parties.

We have also taken careful note of the impact on tourism and the message that any lengthy deferral might send out. On the other side of the equation, however, is the need for national and, in some areas, local politicians to be focused on the fight against foot and mouth disease as the necessary machinery to deal with any eventuality is put in place; and the feelings and sensitivities of people in the communities most severely affected by that dreadful disease.

Taking account of those considerations, we have decided that these local elections should be deferred for a short period: in the case of England and Wales, for five weeks, from 3 May to Thursday 7 June; and in the case of Northern Ireland, for three weeks, from 16 May to 7 June also. Some district and borough council by-elections are due on 3 May and others could be held on each Thursday thereafter before 7 June. In the circumstances, the Government believe it will be best if all by-elections in that period are also postponed until 7 June. In the time scale, however, it is not practical to defer by-elections that are due before 3 May.

A Bill to ask the House and the other place to give effect to those deferrals will be introduced as soon as possible. My right hon. Friend the Leader of the House will make a statement immediately after this one about the effect on the House's business. As preparations for local elections on 3 May in England and Wales and 16 May in Northern Ireland will have to continue until and unless legislation for their deferral receives Royal Assent, it is plainly in everyone's interest that the legislation should be passed as quickly as possible. There are a number of detailed consequential matters which will have to be dealt with in the legislation. I will therefore make arrangements for the Opposition parties to have an outline of the draft legislation later today.

The House will be aware that the cost of administering local elections falls on the local authorities concerned. In respect of the elections that were due to take place in May, local authorities have already incurred expenditure and will be obliged to go on incurring such expenditure unless and until the new Bill receives Royal Assent. We shall accordingly take powers in the Bill to compensate local authorities for expenditure legitimately and unavoidably incurred. Although nominations for the elections due on 3 May do not close until tomorrow—and those for Northern Ireland do not close until later this month—some candidates may have incurred additional costs because of the deferral. They should be relatively small, but to cover them the maximum limit on candidates' expenses will be increased in the Bill by 50 per cent. The Bill will also provide that candidates validly nominated for elections due on 3 May will not have to resubmit their nomination papers.

Delaying elections is not a step ever to be taken lightly. Nevertheless, I hope that the House will agree with me that a relatively short postponement of the kind that I have set out is the appropriate response in the circumstances.

Miss Ann Widdecombe (Maidstone and The Weald): May I thank the Home Secretary for his usual courtesy in providing me with a copy of his statement in advance? Conservative Members are glad about the Government's belated recognition that there really is a crisis in this country, which is affecting the countryside and farmers badly, and that local elections would have been inappropriate in those circumstances. However, it is unfortunate that the Government decided not to consult the Opposition at all prior to making their decision on an important constitutional matter. Members will be aware of the tradition that, when important constitutional matters are involved, there should be contact with the Opposition. It is regrettable that that did not happen. But, of course, we know that even Cabinet Ministers were unaware of what the Prime Minister and his spin doctors were thinking.

Are not today's developments yet another chapter in the catalogue of dithering and delay that has characterised the Government's handling of the foot and mouth crisis? It was we who called for compensation for farmers who suffered irrecoverable losses, and it took the Government two weeks to announce it. It was we who called for the Government to make use of the Army, and it took them another nine days even to begin deploying troops. It was we who called for rate relief for rural businesses, and it took the Government a week to decide to undertake that. It was we who called for legislation to allow postponement of the local elections two weeks before the legal timetable for those elections had commenced. At the time the Leader of the House said that such a move would be "catastrophically wrong". The Prime Minister's official spokesman said:

"We are not going down that road".

But now, at this late stage, the Home Secretary comes to the House and says that the elections will need to be postponed until 7 June.

If the foot and mouth outbreak is the reason for putting the elections off, how can the Government work to such an arbitrary date? What will the Government do if the crisis continues, and is not resolved at that time? What criteria will the Prime Minister use to determine whether to go ahead then—or is that date written in tablets of stone? We need answers to those important questions.

[Miss Ann Widdecombe]

The Prime Minister said this morning that it was necessary to put in place immediate short and long-term strategies to ensure eradication of the disease. The Prime Minister has shown no leadership. He said that while the crisis was still going on, it would not be appropriate to hold the elections. Is it not entirely consistent with the principle of delaying those elections that while the crisis remains unresolved, until and possibly beyond 7 June, the argument stands for focusing on combating the disease rather than on the elections?

Will the Home Secretary therefore say clearly today whether it is planned that those elections will go ahead regardless of the progress and the circumstances of the current crisis—despite the fact that the Prime Minister said this morning that it would be better to focus on the fight against foot and mouth, and that one of his key criteria for deciding in favour of postponement was the feeling in local communities?

Will the right hon. Gentleman also accept that the Prime Minister was wrong to say that there were no practical impediments in the way of having the local elections on 3 May? Does he realise that areas such as Devon and Cumbria, which are particularly badly affected—*[Interruption.]*

Mr. Speaker: Order. The right hon. Lady is entitled to be heard.

Miss Widdecombe: No wonder Labour Members do not want to hear these important questions. *[Interruption.]* No wonder they do not want to be challenged on the profoundly inadequate handling of a national crisis.

Will the Prime Minister and the Home Secretary, who have both claimed that there are no practical impediments, recognise that in Devon and Cumbria, which are particularly badly affected, there are many candidates who are farmers? How are they supposed to press their candidature if they cannot move about?

Does the right hon. Gentleman accept that there is a clear case for flexibility in the proposed legislation, and that to fix a date of 7 June in the Bill would be both inappropriate and premature? Does he accept that the legislation should be framed around taking the necessary powers to set a new date, because it is clear that it would not be responsible to fix the date now? Might it not, indeed, be right for local elections in some areas that have been particularly affected to be delayed longer than the one month that the legislation would allow—*[Interruption.]*

I am afraid that the attitude on the Government Benches shows how seriously Labour Members do not take what is going on in the countryside, and how little respect they have for the people who are asking these questions—the people who are affected.

As the Home Secretary will appreciate, his announcement raises several extremely important legal and practical issues. What about the closing of nominations for the local elections, which is due to take place at midday tomorrow? I understand that before the right hon. Gentleman's statement, the Home Office had been telling local authorities that the deadline would be extended into May. Do the Government intend that the deadline should be so extended, and if so, for how long? How will they bring that about, given that there will be no legislation in place by tomorrow, when the deadline expires?

Will the right hon. Gentleman say something about literature printed in good faith by candidates who believed the Government's previous firm assurances that the elections would take place on 3 May? Will those candidates be compensated for their expenditure on that literature—*[Interruption.]*

Mr. Speaker: Order. The House must come to order.

Miss Widdecombe: The more questions we ask, the more desperate Labour Members become. All over this country, people representing all the major parties will be disgusted by the fact that these questions are being treated as trivial.

I welcome the decision to increase candidates' expenditure limits, but will the right hon. Gentleman consider whether a 50 per cent. increase is enough where candidates may have had to destroy all their election literature? I also welcome the decision to reimburse local councils that have incurred, or will incur, unavoidable expenditure because of the postponement.

Will the right hon. Gentleman say whether there will be further special arrangements for postal voting, and especially for the delivery of election addresses, in areas that are particularly badly affected by the foot and mouth crisis? Will he comment on the legal issues resulting from the legal requirement for councils to hold annual meetings in April and May, and for the election of mayors and the commencement of new budgets in that time?

Will the right hon. Gentleman admit that these are important issues which could and should have been resolved much earlier, and that the legislation should have been produced before 26 March, as we said? Will he also comment on the rolling register, and on the extension of the deadline previously set at 12 March?

Finally—[HON. MEMBERS: "Too long."] Too long because too much has been unattended to. If the Home Secretary had covered these matters in his statement, I would not have to ask him obvious questions now. Will the right hon. Gentleman comment on the disgraceful way in which the decision was announced? Will he confirm that Labour party spin doctors were authorised to leak the announcement to the press on Friday evening? Perhaps he could tell us whether the Prime Minister's official spokesman was involved in that.

Will the right hon. Gentleman also confirm that the Cabinet was kept in the dark about the Prime Minister's change of mind—so much so that the Culture Secretary embarrassed himself and the Government by making contradictory statements about the matter within a couple of hours on Saturday morning? Does the Home Secretary regret that? Did he become aware of the decision before or after the press were told? The Government have dithered and delayed on the issue for the past two weeks. Their actions to date will have inspired no confidence among the public in their ability to handle the crisis.

Mr. Straw: I will, as ever, seek to answer as many of the right hon. Lady's questions as possible and as the time allows. However, you will forgive me, Mr. Speaker, if I observe that the right hon. Lady has only one gear—

a very high gear. She invited us all to accept that we were speaking of a national crisis, then treated us to a party political rant, with posturing and invective.

The gravamen of the right hon. Lady's remarks was whether it would not be better to defer the elections indefinitely. We all understand that there are some on the Conservative Benches who would like to see the local elections and any general election deferred through this year and well past May 2002. However, there are significant practical reasons why it would not be sensible to delay the unitary and county council elections beyond the date in June or thereabouts. *[Interruption.]* I will explain why, if right hon. and hon. Members will hear me out. It is extremely important.

If we were to defer the elections indefinitely, we would have to do one of two things. We would also have to defer by-elections indefinitely as well. At each four-year cycle of any council, about a quarter of all candidates retire or resign. Most of those, we anticipate, will be willing to serve for a further three, four or, as it happens, five weeks. As they have made their own decision to retire or, in many cases, among all three parties, have been deselected, I do not believe that almost any of them could or would be willing to be nominated for those vacancies. The effect of deferring the elections indefinitely and prohibiting by-elections meanwhile—

Mr. Oliver Heald (North-East Hertfordshire): That is not true.

Mr. Straw: It is absolutely true. Hon. Members may shake their heads, but the effect would be to leave those areas unrepresented, and also to secure a situation in which, by chance or by death, control of those councils changed. The alternative is not to defer by-elections, but that would mean ending up with a situation such as that in which the Conservatives are already complicit in the city of Carlisle. The agent of the right hon. Member for Penrith and The Border (Mr. Maclean) is now standing as a candidate there in a by-election that was called by the Conservatives. [HON. MEMBERS: "It is a city."] But it is also part of the designated area for foot and mouth disease. I remind hon. Members that the whole of Cumbria is covered by foot and mouth prohibitions.

Without our decision, an increasing number of by-elections would be triggered not only in metropolitan and urban areas, but across rural areas, in place of sensible, all-out elections on 7 June. It is for that reason that the decision is supported by sensible Conservatives such as the Conservative leader of Hampshire county council. When he was asked whether he agreed with the decision that was announced this morning, it was clear that, unlike the right hon. Member for Maidstone and The Weald (Miss Widdecombe), he saw the sense in it. He said that he was "rather glad" about the announcement. So, we have good, thinking Conservatives on our side, even though the right hon. Lady would not claim to be a member of that tendency.

I shall now deal with the legal and practical difficulties that the right hon. Lady raised. On the close of nominations, unless and until the legislation is introduced, the arrangements for the elections on 3 May and 16 May will continue. The legislation will provide, however, that nominations for the elections in England, Wales and Northern Ireland that have been made by the due date will stay valid—unless, of course, candidates decide to withdraw them of their own volition.

On compensation, I am happy to talk to the Opposition parties about whether compensation to a degree can be provided to candidates or their parties. Obviously, there will have to be a separate scheme for independents. We think that 50 per cent. is enough, but we are happy to consider any evidence—[HON. MEMBERS: "50 per cent. compensation?"] Not 50 per cent. compensation, but a 50 per cent. increase in the limit on expenses. Notwithstanding our judgment that most candidates will, in practice, have spent little money, it would plainly be wrong for a candidate who had spent money in anticipation of elections on 3 May then to be outwith the limit through no fault of his or her own.

We have considered the delivery of a free post, which I think the right hon. Lady had in mind, but we do not think that it is practical in the circumstances. On the legal requirements for annual meetings, I am again happy to speak to the Opposition parties, but the proposed law will provide for the annual cycle of meetings, which would usually occur in May in respect of the affected councils, to take place in June, after the new local elections on 7 June.

I conclude by returning to the right hon. Lady's point about dithering. I can think of no greater dithering—something with which the Opposition's approach has been replete—than not deciding on a clear date that is plainly in the interests of the country as a whole. As many Opposition Members claim to represent rural areas, they should listen not only to the voices of people in the farming community, but to those of people in the tourist industry, some of whose representatives have now welcomed the decision and the certainty that it brings, but have said that on no account, in the interests of the rural economy as a whole, should the date be deferred beyond 7 June.

Mr. Bruce Grocott (Telford): Although I fully understand the Opposition's strategy of wanting elections delayed until their political fortunes improve, may I ask my right hon. Friend whether he has any estimate of how long the elections would have to be delayed in order for that objective to be achieved?

Mr. Straw: I was thinking about the Opposition and their behaviour in recent weeks. They make the Opposition that I adorned in the early 1980s appear a paradigm of virtue.

Mr. Simon Hughes (Southwark, North and Bermondsey): I thought that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) was trying to use up all the time between now and 7 June in asking her questions. I shall be much briefer.

The Liberal Democrats support the Bill and the change of election date, except in Northern Ireland, to which I shall revert shortly. Although we do not have a reputation for being soft on Labour or soft on the policies of Labour, we believe that it was right for the Prime Minister to wait until the weekend to make a decision. It may not be in the interests of parties or politicians to defer the election, but the decision clearly reflected a strong national mood and is in the interests of the country.

Subject to examining the fine print, we will expedite the Bill's progress so that certainty can be provided as soon as possible. The Bill has the advantage of setting a

[Mr. Simon Hughes]

definite date so that we can concentrate on foot and mouth for the next few weeks. It also enables the tourist industry to know that it will be business as usual soon, and to encourage people to go to the many places in Britain that we want them to visit.

I have two technical questions. First, will local authorities receive full compensation for all the expenses that they have incurred? Secondly, will the Home Secretary re-examine the decision to postpone the Northern Irish elections? Northern Ireland is a foot and mouth-free Province. The tradition is to hold local elections there on the third Wednesday of May. Is the Home Secretary willing to consider proceeding with them?

When will we have a guarantee that, in future, Ministers will make announcements to Parliament, not national newspapers, and when will we end the pretence that we are not considering the day of the general election as well as that of local elections?

Mr. Straw: I am very grateful for the hon. Gentleman's comments. *[Interruption.]* I believe that Conservative Members will regret their leadership's position, such as it is. The Conservative leadership is plainly devoid of the ability to rise to meet the national interest. *[Interruption.]*

Mr. Speaker: Order. I appeal to the House for calm.

Mr. Straw: In so far as I can judge, the Conservative approach of switch and switch again to every issue—[HON. MEMBERS: "Oh!"] Oh yes. The number of statements by Conservative Front-Bench spokesmen, calling for the election to be held the next day if not the day before, is astonishing. I shall not bore the House by reading them out, but they are all on the record. Their policy of switch and switch again is determined by the Leader of the Opposition's approach to politics, which is to put his finger in the air every morning to ascertain which way the wind is blowing and hope that people will not notice.

I accept the comments of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) about balancing the need to take account of the sensibilities and sensitivities in rural areas and farming communities and to ensure a period when all are engaged in fighting foot and mouth against not stringing the matter out indefinitely. That would send out the wrong message, especially about tourism. All of us who know and love the countryside realise that tourism and agriculture are inextricably linked, but that for every 1 per cent. of gross domestic product that comes from agriculture, 7 per cent. of GDP, our wealth and our jobs, is generated by tourism.

We will provide full compensation for expenses that were unavoidably incurred by local authorities.

The hon. Gentleman asked me to look again at another matter, and I will be happy to discuss that with him. On the issue of general elections, he knows that the timing of any general election is a matter on which the Prime Minister, and the Prime Minister alone, advises Her Majesty.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that those who have watched with great distress the television coverage of the immolation of the carcases of the animals that have so far been killed, and those who are affected in those areas—the people who are desperately anxious about what is happening to their tourist businesses, tourist accommodation and so on—will be filled with contempt for the way in which the desperate rabble on the Conservative Benches has attempted to derive party political advantage from the distress of those people? My right hon. Friend talked about the effect of foot and mouth on tourism, but Conservative Members are most worried about the effect on Toryism. Are not Conservative Members trying to enunciate the novel doctrine that the prerogative of deciding the date of an election should lie not only with the Leader of the Opposition, but with the most unpopular Leader of the Opposition since polling began?

Mr. Straw: I agree with my right hon. Friend. As I said earlier, I think that the Conservative Opposition will come to regret the stand that they have taken.

Mr. Tim Collins (Westmorland and Lonsdale): I believe that the vast majority of people of all political opinions—and of none—in Cumbria will welcome the announcement that the elections will not take place in May. However, they will wonder whether the Home Secretary and the Prime Minister are right to suggest that, in nó circumstances, however bad the foot and mouth crisis becomes, would they contemplate moving the elections from June.

May I also check an important technical point with the Home Secretary? In his statement, he talked about the fact that many village schools would still be open and would therefore be able to serve as polling stations. He may know that returning officers across Cumbria have been told that village halls—which provide the bulk of polling stations in rural areas because the schools have long since closed—will not be open for an election in May, and will probably not be available to act as polling stations in June either. Will the Home Secretary please address that question, and the case that returning officers are making for universal automatic postal voting in Cumbria as the only way of ensuring a substantial voter turnout, whenever the elections take place?

Mr. Straw: I must say to the hon. Gentleman that this is a matter of balance. As the Prime Minister made clear earlier today, we believe that we have got the balance right. Of course we have thought about and worked through other alternatives. However, despite the calls from some Opposition Members when I was trying to explain the issue of by-elections, it could not be right to leave whole areas—including whole areas of Cumbria—unrepresented by not holding local county council elections in the near future.

To defer those elections indefinitely could mean either that large tracts of Cumbria, for example, would have no county councillors at all—on average, a quarter of all county wards in England, all of them single-member wards, would have no representation at all—or that the object of postponement would be defeated, because there would be a continuing cycle of by-elections as the inevitable casual vacancies caused by resignation or retirement took place. That is why we judged that certainty, in the form of a deferral of five weeks, was sensible.

I shall be happy to discuss the hon. Gentleman's point about village halls with him, and also to ensure that discussions on the matter take place with the returning officers and, of course, with my right hon. Friend the Minister of Agriculture. We have considered universal automatic postal votes, but we judged that they were not necessary. They might well have been necessary—as might emergency legislation to that effect—had we not already had provisions in force from 16 February for everyone to obtain a postal vote on demand.

The hon. Gentleman may not be aware—because it has not yet been formally announced—that we have also put in place an increase in the advertising campaign run by the electoral registration officers, the better to provide information about how to apply for a form. The forms will be very easily available, including on the internet.

Mr. Ben Bradshaw (Exeter): I thank my right hon. Friend for listening to those of us who have argued that politicians should be fighting foot and mouth, not each other, in May. Did not the right hon. Member for Maidstone and The Weald (Miss Widdecombe) exceed even herself in her misjudgment of the mood of the House and the country? Is he aware that the chief of tourism in the south-west of England, Malcolm Bell, said today that he warmly welcomes the postponement of the local elections to June, although he added that the open-ended postponement advocated by the Conservative party would be absolutely disastrous for the British tourism industry?

Mr. Straw: I am glad that my hon. Friend welcomes the statement: because he represents an area that is one of those worst affected by foot and mouth disease and one of the most important for tourism in the country, he is also one of those to whom my right hon. Friend the Prime Minister, the Cabinet and I have listened carefully. I am aware of Mr. Bell's comments welcoming the decision to defer until 7 June, but no further. I have also had drawn to my attention, for example, comments by Carole Hutchings of the South Devon tourist association, who describes herself as a farmer on Dartmoor as well as someone who runs tourist attractions. She says that she, too, is glad of the deferment—but again, not beyond that date.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Does the Home Secretary recognise that in Northern Ireland farming represents a much larger percentage of gross domestic product than in the rest of the United Kingdom? Hence there has been huge anxiety about whether an election would be held, as had been forecast, on 3 May. I welcome the Government's decision, although given the veterinary advice that was available I am puzzled as to why it was not made sooner.

Like most Members and the Government, I hope that, by 7 June, the crisis will have begun to ease. There is a crisis today and we do not want it to become a catastrophe. Can the Home Secretary reassure me that compensation due to Northern Ireland local authorities will not come out of the very hard-pressed block grant, but will be new money to replace that already expended?

Mr. Straw: I am grateful to the hon. Gentleman for welcoming the decision. The explanation for why it was not made sooner is straightforward—

Mr. Michael Fabricant (Lichfield): The Government had told *The Sun*.

Mr. Straw: The decision was very difficult; it is not a laughing matter. It is unusual in peacetime for elections to be deferred, even for a short while. The most careful consideration was thus required. *[Interruption.]* Again, I hear sedentary comments from Conservatives; they have never deferred elections. Of course, they have abolished them altogether, however, as some of us remember. We are not going down that path.

Of course, I recognise the huge importance of farming to the economy and society of Northern Ireland; it is even greater than in many rural areas of the rest of the United Kingdom, and my right hon. Friend the Secretary of State for Northern Ireland loses no opportunity to remind the rest of the Cabinet of that fact. On compensation, I will have to write to the hon. Gentleman to give a detailed answer.

Mr. Robin Corbett (Birmingham, Erdington): I welcome the sensible decision to postpone the local government elections, but will my right hon. Friend consider again—in these exceptional circumstances—allowing candidates one free mail shot to each elector, as foot and mouth may still be causing trouble?

May I also make a personal request? Speaking as one of those who will not be standing at the general election, may I ask my right hon. Friend in no circumstances to postpone these elections any further—certainly not for the 10 years, at least, that will pass before the Conservatives again become remotely electable?

Mr. Straw: I remind my hon. Friend that my announcement concerned only the postponement of local elections, rather than any other kind.

I shall be happy to talk to my hon. Friend about free mail shots, but when we have considered the matter in the recent past we have not been convinced that the cost and complexity involved would not outweigh the perceived advantages. There is no legislative cover, which would make the procedure particularly complicated and detailed.

Sir Patrick Cormack (South Staffordshire): I thank the right hon. Gentleman for his statement, but will he give an assurance that if foot and mouth is not under control on 7 June—which, sadly, is possible—he will draft the Bill in a way that would allow elections in at least some parts of the country to be delayed beyond that date?

Mr. Straw: I regret to say that that is not possible. Our experience of the 1967 outbreak suggests that foot and mouth is likely to be with us for some time, although I shall not enter the realms of predicting the path of the disease. We have considered carefully whether it would be possible to tell one group of electors, but not another, that their elections would be deferred; but given the questions of where to draw the line and the criteria on which to draw it, and of fairness to one group of electors in relation to another, we have judged the idea to be wholly impractical.

Mr. Stuart Bell (Middlesbrough): The Home Secretary has referred to the serious consequences of foot and mouth for the tourist trade, but is it not also having a severe impact on our meat exporting trade? Middlesbrough contains a meat-processing factory with 40 workers, exporting to Belgium and Holland. It has been seriously affected by the crisis.

[Mr. Stuart Bell]

The Home Secretary has told the House twice that a quarter of our councillors are chosen at local elections each year, and that there is a series of by-elections. Will he confirm that the budget cycle will begin in September? There is constant interaction between Government and local councils, and local council elections are as important to our democracy as national elections. Would not deferring local elections indefinitely deal a destabilising and detrimental blow to our local democracy?

Mr. Straw: Of course I understand the concern that my hon. Friend has expressed so eloquently on behalf of those in his area who work in the meat export trade.

The House may be interested to hear some figures. In 1999, of 11,380 councillors who were due for election, 2,695—24 per cent.—stood down. The proportion was similar last year, although fewer electoral wards and fewer councillors were involved.

My hon. Friend is right: to postpone the elections indefinitely and not to hold by-elections would cause local democracy to grind to a halt. It would plainly be unacceptable for the control of councils to pass randomly from one party to another, with no reference to the electors, as a result of acts of God or chance retirements.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Delaying the local elections only until 7 June is gesture politics at its most obvious. Will the Home Secretary confirm that foot and mouth will still be with us on 7 June? Indeed, it might even be worse. If the Prime Minister had wanted to do what was right for the country, rather than convenient for him, he would have initiated a real delay in the elections. Will the Home Secretary confirm that there is a precedent for delaying local elections by a year? Incidentally, what does he intend to do about the census on 29 April, for which people will have to visit all homes personally in order to gather information?

Mr. Straw: The hon. Gentleman may not accept this—I doubt that he will—but I know for certain that the Prime Minister has taken this decision in the national interest: there is nobody more concerned about foot and mouth or anxious to ensure that it is brought properly under control, however long that takes.

There is a precedent for a delay of a week in the local elections. It occurred in 1986, when it transpired that the first Thursday in May would have coincided with the Jewish festival of Passover. Local elections were also deferred in wartime. There are no other precedents, except that elections have sometimes been abolished, as they were by the Conservatives when they got rid of the GLC.

The hon. Gentleman asked about the census. Len Cook, as the national statistician—the Office for National Statistics is responsible for conducting the census—has already issued a public statement, last week I think, drawing attention to the detailed arrangements that he is making for the canvassing, as it is called, of returns under the census, and he has made it clear that in farming areas that will be done by post.

Mr. Russell Brown (Dumfries): I warmly welcome today's announcement and the decision that has been taken—after long deliberation, some would say, but certainly after careful thought by the Prime Minister. We are talking about local elections in England and Wales, and the Conservatives have said clearly over the past two weeks that all elections should be delayed, but that has not stopped the Tories in my area issuing election literature. In addition—to show how well organised the Conservatives are—they were leafleting in the wrong constituency. More importantly, my right hon. Friend should be aware that those same people have been campaigning in badly infected areas. I hope that he will investigate that. The only election that the Conservatives are really concerned about is the election of a new leader following their defeat in the general election.

Mr. Straw: My hon. Friend makes a sage observation. The problem is that we have seen no credible candidates for the leadership of the Tory party on display today. It is true that we have received reports of local Conservatives associations taking an unexpectedly active part in local politics in foot and mouth disease areas. My hon. Friend mentioned one such incident, and I have already mentioned the activities of the Conservatives in the city of Carlisle, where the agent to the right hon. Member for Penrith and The Border (Mr. Maclean) is a candidate.

Mr. James Gray (North Wiltshire): Toby Sturgis and Jane Scott, who are livestock farmers in my constituency and candidates in the forthcoming local government elections, will understand and be grateful for the Home Secretary's announcement that the elections are to be deferred. They are in a restricted area and cannot currently campaign. If, God forbid, ours remains a restricted area on 7 June, how am I to explain to them that last month the election was deferred because they could not campaign, whereas this month, with conditions no better, it is suddenly all right? I cannot fob them off with an obscure point about a by-election in Carlisle—they simply will not wear it.

Mr. Straw: I have already made it clear that our judgment is that there were no practical impediments in the way of elections going ahead all over the country on 3 May, so the assumption behind the hon. Gentleman's question does not arise. As we all know, electoral and campaigning methods have changed over the years. There is much greater use of telephone canvassing in rural as well as urban areas, postal voting is available on demand and the public highways are open in all areas.

Mr. Martin Salter (Reading, West): Does my right hon. Friend agree that, on foot and mouth and the election date, all we have seen from the Conservatives are crocodile tears for the farmers and those employed in the tourist trade? If the Conservatives really believe that delaying the local elections is in the national interest, why, on Wednesday of last week, did the Conservative party launch its local election manifesto in Berkshire? Does my right hon. Friend agree that, on this issue, the Conservatives stand condemned as nothing more than a bunch of opportunistic hypocrites?

Mr. Speaker: Order. It is not for the Home Secretary to answer that question.

Mr. Dafydd Wigley (Caernarfon): As a Member who represents a constituency in which foot and mouth

restrictions apply, may I ask the Home Secretary and the Prime Minister to accept my thanks for this delay? It was clearly a difficult decision to make. Will the Home Secretary clarify one point with regard to the postponement of local by-elections? There are no county elections in Wales, but I believe that some by-elections are scheduled for 3 May. The rationale that the right hon. Gentleman gave for not going ahead with by-elections in England does not, therefore, apply in Wales. Will he also tell the House that it is open for tourists to come to the country areas and enjoy what they can, bearing in mind the restrictions?

Mr. Straw: I am grateful to the right hon. Gentleman for his remarks, which I will pass on to the Prime Minister. On the postponement of local by-elections, I should have made it clear—and I apologise to the right hon. Gentleman and other Members representing Welsh constituencies for not doing so—that the arrangements will apply to districts in Wales as well as to counties and districts in England. There will be the same arrangements for the postponement of by-elections which would otherwise be due or have been called in respect of dates from and including 3 May. As I previously explained, for practical reasons, we cannot defer by-elections that are due on the Thursdays between now and the Thursday immediately before 3 May—that is just one of those things.

Wales is a beautiful country; a huge number of tourist opportunities are still open. I know, as someone who loves walking in the countryside, that although it is not quite as enjoyable to walk along open public highways, the walks are still very enjoyable, and the views in Wales are unsurpassed.

Mr. Peter L. Pike (Burnley): Is it not a fact that to go for an indefinite delay would have been totally irresponsible and caused many problems to many local authorities in planning their annual council meetings and making the structural changes needed to comply with last year's local government legislation? Is it not also clear from the tirade from the Conservative Front Bench that, having demanded a change in the date of the elections, the Tories have not thought through the complexities of delay?

Mr. Straw: I am grateful to my hon. Friend for his comments. It is absolutely clear from the rant of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) that she and her colleagues on the Front Bench have simply failed to understand the consequences of indefinite referral. If anything were to lead to uncertainty in the countryside, an indefinite referral would.

Mr. John Redwood (Wokingham): Given the Government's wish to help the tourist industry, does the Home Secretary think that the Prime Minister helped when he chose, for a recent photo opportunity, a visit to the countryside covered from head to foot in protective clothing, accompanied by soldiers similarly attired for a crisis? How can we believe that the Government are serious about the tourist industry when that is the image they send out to the world?

Mr. Straw: The right hon. Gentleman would have had greater cause for complaint if my right hon. Friend had gone into an infected area without protective clothing.

Mr. Hilton Dawson (Lancaster and Wyre): I congratulate my right hon. Friends the Home Secretary and the Prime Minister on this timely and wise decision. Does it not show a proper balancing of fundamental respect for democracy with accurately listening to the views of people such as my constituents in Lancaster and Wyre? Is it not the essence of good government? Does it not contrast markedly with the squalid self-interest displayed by Opposition Front Benchers? Is not one bright lining to this cloud the fact that, rather than campaigning on Friday for a resounding Labour victory in the county council elections, Labour Members will be able to turn their attention to supporting the Children's Rights Commissioner Bill, which will be debated on that day?

Mr. Straw: I commend my hon. Friend's Bill. I am also grateful to him—as someone who represents a constituency that contains a great many farms and rural representatives—for the points that he has made to me and to others on the need for us to take properly on board the concerns of rural areas.

Mr. James Paice (South-East Cambridgeshire): If it is sensible to delay the elections from the beginning of May to the beginning of June, but not possible or sensible to delay them any longer than that, presumably there is an advantage in that first delay. Given that the Home Secretary has already told the House that, in the Government's view, there is nothing to stop traditional and more modern methods of canvassing, presumably that advantage relates to the control of foot and mouth. Can he therefore tell us what assessment the Government have made of the likely status on 7 June of the foot and mouth outbreak—an assessment which has enabled them to believe that an election can be held on that date?

Mr. Straw: I take it from the hon. Gentleman's comments that he is against a deferral until 7 June. I set out very clearly the considerations that we have taken into account. As I made clear, we do not believe that polling would not be possible on 3 May; we think that it would be practically possible. However, we have also taken into account the sensibilities of people in the rural areas, as well as—as my right hon. Friend the Prime Minister said earlier today—the immediate and short-term need for a focus by national and some local politicians on the issue of foot and mouth.

Mr. Phil Hope (Corby): My right hon. Friend has already mentioned compensation for local authorities because of the deferral of the county council elections. However, there will be a considerable impact on returning officers and their staff who have to perform the urgent logistical task of transferring bookings and making other arrangements for the new elections date. Does my right hon. Friend recognise the extra work that will have to be done by returning officers and their council staff? Will he ensure that there is effective communication between the Home Department and returning officers so that, if there is confusion at any point, it can be cleared up as speedily as possible?

Mr. Straw: Of course I accept that there will be extra work. We are well aware of that, and we are extremely grateful to the staff of electoral registration officers and to the officers themselves for the extremely high standards

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of administration and integrity that they bring to all elections. As I have made clear, we shall provide for compensation to local authorities for the unavoidable extra costs that they incur; and of course the Home Office wants to ensure that we have in place the most effective communications possible.

Miss Anne McIntosh (Vale of York): Will the Home Secretary, please, now respond to the question asked by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on the closing date for nomination of candidates in county council elections who have not yet submitted a claim? Today's announcement on delaying the county council elections will be most welcome in the Vale of York. However, does the right hon. Gentleman accept that it is estimated that the disease will peak, and that cases will quadruple, in the run-up to June? If that estimate turns out to be accurate, will he review the date?

Mr. Straw: I am sorry that I did not earlie address the nomination issue. Subject to the Bill's being acceptable to the House and to the other place, and to its receiving Royal Assent, the law will provide for the normal electoral cycle to operate. In normal local elections, the cycle of nominations being invited and closed and the other key events prior to polling day occur over 25 working days. That cycle will simply be replicated for a 7 June polling day. As I have already made clear, anybody who is validly nominated when nominations close tomorrow for the elections that were due on 3 May will be able to maintain their nomination and do no other work. Those nominations will carry forward into the new elections if the Bill receives Royal Assent.

On the disease and its peaking, obviously, when making our judgments, we have taken account of various possibilities in respect of foot and mouth. However, I am afraid that I can hold out no prospect to the hon. Lady of further review of the progress of the disease and then of the date. We judge that it is sensible, for all the reasons that I spelled out, to defer the elections for five weeks until 7 June, but not to defer them further.

Mr. William Ross (East Londonderry): Will the Home Secretary confirm that the chief executives of councils in Northern Ireland recently held discussions at the Northern Ireland Office on holding the council elections and the general election on the same day? Will he also confirm that there was universal opposition to that, on the grounds that in Northern Ireland we have two different electoral systems, that the council and parliamentary boundaries do not coincide, and that there will thus be extreme difficulty in getting people's votes counted, even with the proposed delay for council elections until the following week? In those circumstances, why did the Northern Ireland authorities go ahead and order 1,000 new ballot boxes so that the two elections could be held on the same day? It will cause absolute mayhem for the electorate.

Mr. Straw: The hon. Gentleman will understand that although I brief myself as much as possible for these events, I am not aware of the ordering of ballot boxes by chief executives and district councils in Northern Ireland.

On the other point the hon. Gentleman makes, I understand from the Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), that the chief executives said that it was practical to hold the local elections and a general election on the same day—whether it is desirable to do so is obviously a matter for debate.

Business Statement

4.32 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I should like to make a statement about the business for the rest of this week.

TUESDAY 3 APRIL—Second Reading of the International Criminal Court Bill *[Lords]*.

WEDNESDAY 4 APRIL—Allocation of time motion relating to the Elections Bill and the Election Publications Bill *[Lords]*.

Proceedings on the Elections Bill and the Election Publications Bill *[Lords]*.

THURSDAY 5 APRIL—Remaining stages of the Regulatory Reform Bill *[Lords]*.

FRIDAY 6 APRIL—Private Members' Bills.

The provisional business for the following week will now include:

MONDAY 9 APRIL—Second Reading of the Finance Bill.

TUESDAY 10 APRIL—Remaining stages of the International Development Bill.

Motion on the Easter recess Adjournment debate.

It may be convenient for the House to know that the Government will propose that on Tuesday 10 April, we have Thursday sitting hours and that, in consequence, the Westminster Hall debates scheduled for that day will not take place.

The House may also be asked to consider any Lords messages that may be received.

Mrs. Angela Browning (Tiverton and Honiton): I wonder whether the Leader of the House could explain why the Election Publications Bill *[Lords]*—a measure introduced only because an Act passed during the previous Session of this Parliament was so badly flawed that it needs change and amendment before the coming elections—will be subject to an allocation of time. The reason for the flaws in the original Act was that the measure was guillotined; a specific part of the then Bill, which was so flawed that it is the subject of the new Bill, was guillotined such that the House gave it no scrutiny whatever. Given that fact, it seems wrong that the Leader of the House should propose that the Bill be guillotined under an allocation of time motion.

On the Elections Bill, which has just been the subject of discussion in the House, the Leader of the House will know that although we can understand why it needs to be processed reasonably quickly given the deferred date of the local elections, a lot of questions remain and it needs proper scrutiny none the less. When denying that there was a need to defer the date of the local elections, she referred to the seriousness of such an action. That is on the record of the House, so I hope that she accepts that the Elections Bill needs proper scrutiny and debate, otherwise we shall be in the same position as we were with the Political Parties, Elections and Referendums Act 2000, which was an absolute mess.

Mrs. Beckett: Opposition Members sometimes ought to give a little more thought to the words that they use. That Act was not badly drafted—that would be an insult to parliamentary draftsmen. Indeed, the issue is one not of the Act, but of the commencement order, which the House must now consider. There was consultation on the handling of the Act and, in particular, on the order. Perhaps Opposition Members did not take part in it, but those who do not take part in the consultation cannot complain about the outcome.

This must be certainly the third time, if not the fourth, in this Parliament that, yet again, on legislation that the Opposition said they would facilitate through the House—the Political Parties, Elections and Referendums Act and its order—there appears to be a wish to impede it when it is introduced. Finally, the hon. Lady draws attention to my remarks on the seriousness of the decision that has now been announced. She will remember, if she casts her mind back, that I have always referred at the Dispatch Box to the different voices and the different opinions that were being given to the Government and the need to weigh seriously all those voices and opinions, one set of which were not often represented from the Opposition Benches.

Mr. Ernie Ross (Dundee, West): Does the Leader of the House recall that, on 22 March, I asked her whether she would find time to consider the Review Body on Senior Salaries report on the office costs allowance? At that time, she rightly reminded me that the report had been available only for a short period, but that was a fortnight ago and we now have some extra time in which the House could consider such matters. If the House were to accept the main body of the report, the officers of the House could prepare themselves for the new intake and, if there were to be a general election sometime in June, they could get the procedures ready to induct new Members in the measures on the office costs allowance contained in the report.

Mrs. Beckett: My hon. Friend makes an important point. He has, of course, made that point to me on a previous occasion, and I fully understand his concern for the staff of the House. However, all I can say is that, although I hear the case that he makes, I cannot anticipate a further business statement.

Mr. Andrew Stunell (Hazel Grove): I think that we all recognise that this business statement is an inevitable consequence of the Home Secretary's statement, but we also recognise that the real implication of that statement is that the general election will not now be held any sooner than 7 June. We may or may not be allowed to say that in good order, but that is the fact of the matter. Does the right hon. Lady accept that there are now increased opportunities for the House to consider matters that might otherwise have escaped its notice? Will she give an undertaking that several of the measures that are currently shuttling between this House and the other place will now have an opportunity for debate and resolution, including the Hunting Bill, the Health and Social Care Bill and—perhaps closest to my heart—the Adoption and Children Bill? Such legislation is long outstanding, but the House may now be able to deal with it effectively.

Mrs. Beckett: Although the hon. Gentleman talks about Bills shuttling between the House and the upper Chamber, certainly at least one of those that he

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mentions—the Hunting Bill—is still in the upper Chamber, and I cannot quite recall where we are with the others, but they are still in the upper Chamber.

Mr. Dale Campbell-Savours (Workington): I spent all weekend talking to farmers and people in the tourism industry in my constituency, and I have to report that the situation is utterly desperate, especially in the tourism industry. Now that we have all these extra days and, indeed, weeks before the great day, may I ask my right hon. Friend whether we can have a debate on that as a matter of great urgency, because many Members of Parliament are affected? May I suggest that a Treasury Minister be asked to attend that debate?

Mrs. Beckett: My hon. Friend will have heard me say that I am not in a position to anticipate the content of further business statements, nor would he expect me to do so. I shall, as ever, take heed of his remarks.

Mr. Nigel Evans (Ribble Valley): I am stunned that the Leader of the House did not use the business statement as an opportunity to announce that there would be a full day's debate in Government time on foot and mouth, at which the Minister of Agriculture, the taskforce Minister—the Minister for the Environment—and a Treasury Minister would be available to answer questions. There is an opportunity now for the Leader to look at the business and announce such a debate. A national crisis is taking place and the general public will be staggered to learn that we shall go into recess from 11 April until 23 April and will not be here. Will she look at opportunities and procedures so that the House can be recalled at short notice to continue to look at ways of ameliorating the awful situation throughout the country?

Mrs. Beckett: I have taken heed of the remarks about subjects that Members wish to debate. However, I announced last week that the recess would commence on 10 April and I made it plain that that was in consideration of the dates of school holidays. If Conservative Members did not take that seriously, I cannot help that.

Mr. Mike Gapes (Ilford, South): In view of the serious problems in agriculture, can we have an early debate on the concept of set-aside, in which we could deal with that issue, the subsidy from urban areas to rural areas and those people who seem to be advocating the set-aside of democracy in this country indefinitely?

Mrs. Beckett: My hon. Friend asks for a number of issues to be discussed, certainly in his final remarks. I have taken heed of the pressing demand from the Leader of the Opposition that we should postpone an election without coming to the House to tell hon. Members when that election might take place. That is an interesting insight into his view of what is constitutionally proper. I shall take heed of my hon. Friend's request for a debate on these fundamental issues, but I cannot undertake to find time for one in the near future.

Sir Teddy Taylor (Rochford and Southend, East): Will the right hon. Lady allow time for a debate on the increasing contempt that the present Government show for the House of Commons? A perfect example of this is the handling of the terribly important constitutional issue of the date of the local government elections, news of which was first leaked to *The Sun* and then to the BBC. We then had the Prime Minister making a statement at No. 10 and answering questions from newspaper reporters only. Is not that insulting to democracy and to the Home Secretary, who had to come here today to make a statement that has been announced three times before?

Mrs. Beckett: As I have just reminded the hon. Member for Ribble Valley (Mr. Evans), I made the point at last week's Business questions—I know that the hon. Gentleman was not able to be with us for that—that there would be an Easter recess and that it would begin on 10 April, and no Opposition Member queried that.

Dr. Julian Lewis (New Forest, East): As I recall, the High Hedges Bill—which deals with leylandii, in particular—has been racing against time to reach its completion. It has had strong Government and all-party support until now and addresses a problem that causes serious distress to a great many people. Will the Leader of the House kindly take a close look at the possibility of furthering progress on that Bill in the extra time that is now available?

Mrs. Beckett: I am mindful of the cross-party support for the Bill. My recollection is that it is presently in Committee, but I am afraid that I am not familiar with how close it is to emerging. I take the hon. Gentleman's point, but he may find that the answer to his question is on his own party's Benches.

Mr. A. J. Beith (Berwick-upon-Tweed): Now that we have some more time, can the Leader of the House bring the Secretary of State for the Environment, Transport and the Regions to the House to make inside the House the statement that was made in the press over the weekend about the future of the railways? That has major importance, not least in terms of the deferral of the decision on who is to get the franchise for the east coast main line.

Mrs. Beckett: I believe that my right hon. Friend the Secretary of State answered a parliamentary question today. I understand and sympathise with the right hon. Gentleman's request for a statement—Members often want statements on matters of interest—but I am not entirely sure whether he would have welcomed a third statement today.

Mr. Patrick Nicholls (Teignbridge): In view of what members of the lobby are saying, will the right hon. Lady confirm that there will be no provision in the Elections Bill for a further deferment from 7 June? If that is so, how will she deal with the matter? At present, foot and mouth is bad enough to justify the suspension of elections, but if it is the same or even worse on 7 June, it appears that those circumstances will not justify a further suspension.

Mrs. Beckett: Yes, it is my understanding that the legislation will provide for a firm date, and I think that hon. Members would expect that. I shudder to think what

Conservative Members would say if, as the Leader of the Opposition asked, the Government introduced legislation that did not contain a date. As to the notion that, in some way, all elections must be deferred until we can be absolutely clear that the crisis is totally at an end, I remind the hon. Gentleman that I think that I am right in saying that, in 1967, a rather smaller scale crisis lasted for eight months. I doubt very much that even Conservative Members would wish us to postpone elections beyond the termination of this Parliament.

Sir Patrick Cormack (South Staffordshire): Will the right hon. Lady tell us precisely how long the House will have to debate the Elections Bill on Wednesday? Will she also reconsider the plea from the hon. Member for Workington (Mr. Campbell-Savours) and change the business for next Tuesday so that, before we rise for the Easter recess, we have an opportunity to debate these grave matters?

Mrs. Beckett: As the hon. Gentleman knows, we have to debate the Easter Adjournment and I am not able to change that. I have taken seriously the request of my hon. Friend the Member for Workington (Mr. Campbell-Savours), but I fear that, at present, I am not in a position to change the business that is before us. I am also not in a position to give the hon. Gentleman the precise answer that he seeks about the time available for the Elections Bill. That matter is still under consideration.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): In view of the statement made by Mr. Gerry Robinson, the chairman of the Arts Council of England, that he proposes to wind up the regional arts boards this month—a statement that was made without consulting the boards—will the right hon. Lady suggest to the Secretary of State for Culture, Media and Sport that he makes a statement to the House? That would enable us to hear more about how regional accountability is to be retained. It is appropriate that we know soon in view of the statement made by Mr. Robinson.

Mrs. Beckett: My recollection is that that statement was made some little time ago. I cannot promise the right hon. Gentleman a statement, but I shall draw his remarks to my right hon. Friend's attention.

Mr. Stephen O'Brien (Eddisbury): Given that the Prime Minister has said that he is taking personal control of the foot and mouth crisis in an attempt to stop it spiralling further out of control, and given that the current circumstances of the crisis, the epidemiological advice and the prognosis rightly justify in the eyes of my constituents the deferral of the local elections that were due on 3 May, what precise elements of the advice, crisis and prognosis have to be different in a month's time to justify proceeding with elections on 7 June?

Mrs. Beckett: I am being asked the same question repeatedly, as was my right hon. Friend the Home Secretary. I simply say to the hon. Gentleman that it has been clear latterly that, as my right hon. Friend the Prime Minister identified last week, the scale of movement of animals before any sign of the disease manifested itself publicly or had been detected was much more than anyone had understood. Consequently, the scale of the difficulties is greater than had originally been anticipated. My right hon. Friend the Prime Minister will have taken account of issues such as the need to put in place the full machinery to deal with the scale of the crisis as we now appreciate it, but it may well be that all those matters can be dealt with in the time scale that we are discussing.

Sir Michael Spicer (West Worcestershire): When can we expect a decision and, therefore, a statement on vaccination against foot and mouth?

Mrs. Beckett: The hon. Gentleman will know that that issue is and has been under active consideration. It is much debated and is very controversial, and he will also know that it does not offer, as media reports sometimes seem to suggest, a simple answer. All that I can say is that that option remains under active consideration and discussion.

Mr. William Ross (East Londonderry): Can the right hon. Lady tell us when the Elections Bill will be available? So that such important matters are adequately discussed, can she assure me that the Government will not shrink from an all-night sitting if necessary?

Mrs. Beckett: I believe that I am right in saying that my right hon. Friend the Home Secretary hopes to have something for consultation later today. As for how late the House sits, that is a matter for the House as a whole. Although I have long experience of sitting late into the night in the House, I am rarely willing to do so unnecessarily.

Mr. Derek Foster (Bishop Auckland) *rose—*

Mr. Eric Forth (Bromley and Chislehurst) *rose—*

Mr. Speaker: Order. I remind the right hon. Member for Bishop Auckland (Mr. Foster) that I can call only those who were present for the statement.

Mr. Forth: The Home Secretary's comments make it obvious that the Elections Bill will, of necessity, be large and complex, as it will cover many contingencies and possibilities. It will, therefore, require proper scrutiny. It might even require considerable amendment, given that the Government's track record of getting things right the first time is extremely poor. The Leader of the House has helpfully told us that we might have sight of the Bill later today, which is generous of her, and that the Bill is expected to pass through all its stages on Wednesday. Will she be even more helpful and tell us how it will be possible to table amendments at each stage, given that we have not yet seen the Bill, it is to be before the House the day after tomorrow, and it looks as though the Government will try to shove it through in one sitting?

Mrs. Beckett: It just goes to show how different people's reactions and perceptions differ. The right hon. Gentleman says that he anticipates the Bill being large and complex, but it sounds to me as though it will be a small and simple Bill—clearly, there is a difference in our perceptions. As for the way in which amendments will be tabled, it will be done in accordance with the usual

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procedures of the House. The Government believe that the issues that need to be dealt with in connection with the Bill can be dealt with efficiently and expeditiously.

Dr. Peter Brand (Isle of Wight): I strongly support the calls for a full debate on foot and mouth disease, but I hope that the Leader of the House will make time available for a MAFF Minister to answer hon. Members' urgent questions. It has come to my notice that consideration is now being given to movement orders to allow livestock to be imported to the Isle of Wight. We are grateful to have been without foot and mouth and we have been careful to maintain disinfectant barriers at all our ferries. It would be wholly disastrous if livestock were allowed to move into an area that is the best protected in England.

Mrs. Beckett: I am not aware of any such proposals, but I shall draw the hon. Gentleman's concerns to the attention of my right hon. Friend the Minister of Agriculture.

Mr. Andrew Rowe (Faversham and Mid-Kent): This morning, I accompanied Mr. and Mrs. Hobbs to No. 10 Downing street to present a petition. Just before Christmas, their eight-year-old daughter and her grandmother were killed on the A249, which is a notoriously dreadful road. The county council has finally agreed to build a bridge to join the two halves of their village, and the petition asks the Government for financial assistance. Given that today the Deputy Prime Minister said on the radio that he is commissioning the second half of the channel tunnel rail link—a project that, as far as one can tell, will cost £70 per passenger in subsidy—will he come to the House and explain the Government's transport priorities?

Mrs. Beckett: The hon. Gentleman, perfectly properly, makes a strong case on his constituents' behalf, and I am sure that the whole House sympathises with them in the terrible tragedy that they have suffered. I shall draw his remarks to the attention of my right hon. Friend the Deputy Prime Minister. However, while there are always many desirable improvements to be made, the fundamental infrastructure, of which the channel tunnel rail link is a part, must also be taken into account. The balance is sometimes difficult to weigh.

Mr. Crispin Blunt (Reigate): Does the Leader of the House believe that the way in which the serious announcement that has led to her statement today was made first to *The Sun*, before being made to the Cabinet and Parliament, is satisfactory?

Mrs. Beckett: The hon. Gentleman makes an assertion, but as a member of the Cabinet I have no complaints.

Mr. John Bercow (Buckingham): Given that consideration of the remaining stages of the International Development Bill has been deferred from this week to next and that an opportunity has thus inadvertently been created for sober reflection, will the right hon. Lady undertake to speak to the Secretary of State for International Development and then to guarantee that there will be adequate time in next week's consideration fully to debate the issue of whether to incorporate into that Bill the OECD convention against international bribery in business dealings?

Mrs. Beckett: I certainly undertake to draw the hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for International Development. However, as the Bill is well prepared and has already had a great deal of sober reflection, I do not know whether my right hon. Friend will share the hon. Gentleman's view that it should be amended. As someone who wishes legislation to go through the House in good order, I do not seek to encourage people to amend legislation.

Marks and Spencer

4.55 pm

Helen Jones (Warrington, North): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate a specific and important matter that should have urgent consideration.

Last Thursday, Marks and Spencer announced a restructuring programme, including the closure of its direct catalogue business. That closure will have more impact on my constituency than on any other, as both the call centre and the fulfilment business in Warrington, North will close with the loss of 686 jobs. Most of the staff who work in those operations are recruited locally. In view of the impact that that will have, it is important to have an urgent debate on the matter in the House so that we can hear from Ministers what consultations they have been able to have with the company, and discuss how to mitigate the impact on Warrington, North.

The implications for the local area are serious, so it is vital that we have an opportunity to discuss what assistance can be given to find alternative jobs for those staff and the possibilities of bringing into the area another firm or firms that can make use of the premises and find employment for those who are already well trained and well motivated. The matter is urgent; if we act quickly, we have a very good chance of finding emplôyment for many of the staff involved, especially the call centre staff, of whom there is a shortage nationally. It is also important that we resolve the dilemma in which many people in the firm now find themselves, as they do not know what their future will be. Like the rest of us, they have bills and mortgages to pay, but they have been left in limbo. It is important that the House takes an early opportunity to discuss the matter so that their future can be assured and we can play our part in making that future secure.

Mr. Speaker: I have listened carefully to what the hon. Lady has said and have to give my decision without stating any reasons. I am afraid that I do not consider that the matter that she has raised is appropriate for discussion under Standing Order No. 24, and I cannot therefore submit the application to the House.

Points of Order

Mr. Simon Burns (West Chelmsford): On a point of order, Mr. Speaker. I should be grateful for your guidance. As you are aware, the Prime Minister graciously agrees to come to the House once a week for Prime Minister's Question Time on a Wednesday. As it now transpires that, more than 48 hours ago, certain people outside the House and the Government knew more than the Prime Minister and the Secretary of State for Culture, Media and Sport about what was happening to the local elections, would it be possible for the House to be kept better informed about important issues by arranging a question time for Mr. Trevor Kavanagh? That would enable us to be better informed of what is going on.

Mr. Speaker: That is not a matter for me.

Mr. Bill Olner (Nuneaton): On a point of order, Mr. Speaker. Is it not a common courtesy for Members of Parliament who visit another constituency to advise the Member of Parliament for that constituency of their visit? Does not that apply to Front-Bench spokespeople as well? May I advise the House that the right hon. Member for Maidstone and The Weald (Miss Widdecombe), the shadow Home Secretary, came to my constituency on Saturday and spoke—in my opinion—in a way that was just for the Tory party? She did not tell my constituents the truth about how the Tories cut the police budget in the past and how we have increased it. Is it in order, Mr. Speaker, that that discourtesy should go unchallenged? The right hon. Lady was discourteous in not advising me, and neither the local authority nor the police authority knew of her visit.

Mr. Speaker: Any hon. Member visiting the hon. Gentleman's constituency should have the courtesy to inform him, but that is not a matter for the Chair to get involved in. The argument should be settled without involving the Chair.

Mr. Gerald Howarth (Aldershot): Further to the point of order raised by my hon. Friend the Member for West Chelmsford (Mr. Burns), Mr. Speaker. Not only have we all been observing over the weekend the extraordinary spectacle of the newspapers carrying reports about the postponement of the local elections, but by consulting Ceefax earlier today, I found out that the Prime Minister apparently made a statement at No.10, instead of coming to the House. Surely it is a grave discourtesy to the House for the Prime Minister, who has made such an issue of moving the elections, to announce the postponement on the steps of Downing street and then fail to turn up here himself, sending the Home Secretary instead, as his running boy, to do the job for him.

Mr. Speaker: That is not a matter for the Chair.

Mr. David Wilshire (Spelthorne): Further to that point of order, Mr. Speaker. I believe that there is a point of order for your consideration, because of the discourtesy to the House. On "The World At One" today, Mr. Trevor Kavanagh of *The Sun* admitted that he had been briefed, by a source that he has found reliable, that the local elections were to be put off. For *The Sun* to have carried that headline on Saturday, he must have been briefed on

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Friday. That is a matter for the House; that news should have been reported to us first. The political editor of *The Sun* has admitted to having been briefed. Surely that is a discourtesy to the House, which we should address.

Mr. Speaker: I have dealt with that matter. It is not for me to find out where a journalist got his information from. In fact, it is refreshing to know that some journalists actually go and seek information before writing an article.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. Following the helpful explanation by the Leader of the House about the Bill that will deal with the local elections, can you confirm that, in view of the fact that we have not seen the Bill yet—presumably it will have its First Reading either later today or tomorrow, and go through all its other stages on Wednesday—it will be acceptable for amendments to be tabled in advance of Second Reading, so that you can consider whether they are in order for consideration in Committee and on Report? Bills being shoved through all their stages on the same day is becoming a regrettably regular occurrence—something that I hope you would deprecate in normal circumstances. I hope that you will confirm that we will be able to table amendments in advance of Second Reading, because I think that they will be very necessary for such a Bill.

Mr. Speaker: If the Government table a motion to allow the right hon. Gentleman to table amendments, and the House agrees to it, he and other hon. Members will be able to do so.

Mr. Dale Campbell-Savours (Workington): On a point of order, Mr. Speaker. Will you confirm that in every election that you and I have fought since 1979, statements have been made to the press before announcements have been made to the House of Commons?

Mr. Speaker: I think that the hon. Gentleman is trying to draw the Chair into the argument.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Speaker. I gave your office notice of my point of order this morning. You have tried to be very helpful to those of us whose constituencies are suffering from the dreadful disease of foot and mouth, and you will know that during the debate on foot and mouth a fortnight ago, the Minister of Agriculture agreed that he would arrange for a presentation on the subject to be given to Members of Parliament. He said that he would do that last week: last week, during his statement, I raised the matter again; he reiterated his commitment and said that he would arrange for the presentation to be made either at the end of last week or this week. I tried to get a date from his office this morning, but was told that no date had yet been fixed. Could you, on behalf of Back Benchers, whose champion you are, find out when the Minister will honour the commitment that he gave the House in your presence?

Mr. Speaker: I shall pass on the hon. Gentleman's concerns to the Minister.

Dr. Julian Lewis (New Forest, East): On a point of order, Mr. Speaker. In the past, when I have raised the matter of statements being leaked to the media before being made in the House, you have unequivocally condemned that. Accepting the point made by the hon. Member for Workington (Mr. Campbell-Savours) about general elections, would you give us your guidance on the matter of a statement being made about the postponement of the county council elections, and whether it would have been the correct procedure for the Ministers responsible for that to have made the statement to the House, and not to have leaked it to *The Sun*?

Mr. Speaker: I have already dealt with that matter.

Mr. Patrick Nicholls (Teignbridge): On a point of order, Mr. Speaker. On Friday, I discovered that a landfill site was to be opened in Fosterville in my constituency, which is an uninfected area, and that it was to receive carcases from an infected area. I discovered all that not from the Ministry of Agriculture, Fisheries and Food, but from media contacts. I asked the Minister of Agriculture at once to give an explanation of what was going on; I have heard nothing. Over the weekend, I have been contacted by terrified farmers who have land adjacent to the site and who are wondering what is happening. They have no information and are extremely worried that animals from an infected area are to be brought to farms adjacent to theirs. My point of order is this: have you received any request from the Minister of Agriculture to explain his policy to the House? Were you to receive such a request, would you give it favourable consideration?

Mr. Speaker: I have received no such request.

Mr. John Bercow (Buckingham): On a point of order, Mr. Speaker. I seek your guidance, not for the first time and not for the last. Further to your earlier reply to my hon. Friend the Member for West Chelmsford (Mr. Burns), and in the light of the fact that no fewer than 12 constituents raised the subject with me in the course of two hours over the weekend, can you confirm so that it is clear beyond doubt that there is apparently a distinction between the announcement of a policy, which should properly be made by Ministers in the House before it is communicated to the wider world, and the deferment of an election, which apparently entails no such requirement? What is the basis in "Erskine May" for that apparent distinction?

Mr. Speaker: That is a matter for debate, not for the Chair.

Mr. Wilshire: Further to that point of order, Mr. Speaker. The Home Secretary made a statement to the House this afternoon, which the House no doubt found helpful. I subsequently discovered, to my amazement, that earlier today the Home Office had issued to local authorities affected by the elections all the information in the statement made to the House. In one way, that is sensible. However, it means that people outside the House were given information that was not given to the House until 3.30 this afternoon. Should not the guidance given to local authorities be made available to hon. Members at the same time, rather than later?

Mr. Speaker: I am sure that the hon. Gentleman's concern has been noted and that Ministers will give due regard to his comments.

BILL PRESENTED

WHEEL CLAMPING (RESTRICTIONS)

Ms Oona King, supported by Mr. Tom Cox, Mr. Jim Fitzpatrick, Mr. Geraint Davies, Mr. Keith Darvill, Joan Ruddock, Mr. Neil Gerrard, Ms Karen Buck, Ms Linda Perham, Ms Ruth Kelly and Ms Sally Keeble, presented a Bill to provide for the maximum fee payable for the release of a wheel clamp and for the minimum time which must elapse before a vehicle may be clamped: And the same was read the First time; and ordered to be read a Second time on 27 April, and to be printed [Bill 79].

Orders of the Day

Criminal Defence Service (Advice and Assistance) Bill *[Lords]*

Not amended in the Committee, considered.

Clause 1

EXTENT OF DUTY TO FUND ADVICE AND ASSISTANCE

5.8 pm

Mr. Eric Forth (Bromley and Chislehurst): I beg to move amendment No. 1, in page 1, line 15, at end insert—

'(3) No regulations under subsection (1) of section 13 shall be made unless a draft of them has been laid before Parliament and approved by a resolution of each House.'.

Although the Bill is relatively limited in scope, the House would do well to consider its implications in detail. There is an increasing tendency for Bills to include provision for regulations or statutory instruments, and to allow almost complete discretion to the Secretary of State of the day as to how those will be carried forward.

The Bill touches on several important topics. It refers to the

"duty of the Legal Services Commission to fund advice and assistance",

which potentially interests a large number of people. I am sure that many hon. Members are aware of the extent to which the role of the Legal Services Commission regarding funding, advice and assistance can have a distressing impact on people's lives. I am sure that we have all heard about our constituents' experiences and are in no doubt that the Bill is of considerable importance in that respect.

However, that importance is increased by phrases such as

"shall be treated as having been enacted".

Regrettably, more and more of the Bills that are considered by Parliament are inadequately drafted, although bad provisions are more likely to be introduced because the Government have made amendments on the hoof. Furthermore, we are not given sufficient opportunity to give such measures proper scrutiny and consideration in Committee or on Report. We increasingly have to correct legislation long after it has received Royal Assent. Indeed, another such Bill will be considered later this evening.

The Bill is a graphic illustration of the fact that legislation introduced in the current Parliament has become increasingly fragile, as the Government are either incapable of allowing proper parliamentary scrutiny or are unwilling to do so.

Mr. John Burnett (Torridge and West Devon): Is the right hon. Gentleman aware that we are considering a corrective Bill that seeks to rectify errors that were made in the drafting of the Access to Justice Act 1999?

Mr. Forth: The phrase "correcting errors" is of key importance, as we find ourselves constantly having to return to legislation. I could name any number of measures to which I should like to return, not least among which are the Dangerous Dogs Act 1989, the Child

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[Mr. Forth]

Support Act 1995 and many others for which the Conservative Government were responsible. I do not make any particular distinction in that regard, but whether such Bills originated under the previous or under the current Government, I suspect that the common strand is either that they were the worst type of provision—that which was achieved on an all-party or consensual basis, which inevitably ensures poor legislation—or, even worse, that they were rushed through without proper provision for parliamentary scrutiny.

I would be the first to accept that the Government of whom I had the honour of being a modest and minor member for some years resorted to guillotines, but it was unusual rather than routine for them to do so. Of course, that might be what the hon. Member for Torridge and West Devon (Mr. Burnett) had in mind, but I point out that the previous Government almost always introduced such limitations after Bills had received fairly lengthy consideration in Committee. The difference is that the current Government resort to automatic guillotining before they are aware of the full extent of a Bill or its scope.

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. I remind the right hon. Gentleman that he should be speaking to the amendment.

Mr. Forth: Thank you, Madam Deputy Speaker. I shall try not to provoke hon. Members into making interventions to which I shall have to reply. I realise that that would be most unfortunate.

My amendment seeks to change clause 1(2), which ensures that regulations introduced under section 13(1) of the Access to Justice Act 1999

"may include provision treating them as having come into force at the same time as that subsection."

Such regulation-making provisions are not unusual, but it is becoming all too routine for there to be a lack of provision for proper parliamentary consideration or scrutiny with regard to them. In this case, that is especially concerning, as the regulations can

"include provision treating them as having come into force at the same time as that subsection."

Such phrases are starting to emerge ever more frequently. The term "deeming" is another of those phrases with which it seems we will have to become ever more familiar in badly drafted provisions. There are many such provisions, whether they contain the words "treated as having" or whatever else.

5.15 pm

Mr. John Bercow (Buckingham): I, too, have considered that matter, although probably not as closely as my right hon. Friend. Do I take it from his comments that the Government intend the proposed regulations to be subject to the negative rather than the affirmative resolution procedure, so that there will be no opportunity for parliamentary debate? Would he care to reflect on the irony—nay, I understate the case, the sheer absurdity—of inviting us to presume a given in relation to regulations which have not been debated and a draft of which we have not seen?

Mr. Forth: Indeed. The Bill is silent on parliamentary scrutiny; I suspect that that is deliberate because it reflects the Government's routine approach. If my hon. Friend is suggesting that, in the absence of explicit guidance to the contrary, I would assume that the negative resolution procedure would be used, he would be correct. In his relatively brief time here, he has achieved a mastery of such matters that few of us would attempt to emulate, so he is probably right. However, the amendment would put the matter beyond doubt. I am happy that a similar amendment has been selected for debate on another Bill, which, of course, I shall not mention. I shall try to table such an amendment every time the opportunity arises, not least to the Bill that we are now to consider on Wednesday.

One of the few ways in which we can try to hold the Government to account and properly scrutinise primary and secondary legislation is to provide for positive resolution procedure on regulations, hence my amendment, which would ensure that a draft was laid before each House and approved by resolution of both.

The word "draft" is important. I hope that it contains the procedural possibility of laying the matter before each House, and thus providing time for perusal and consideration before each House is obliged to deliberate on it. It is happenstance, but we have little opportunity to consider the Bill that is under discussion and the measure on the election imprint cock-up, which was tabled for debate later this evening. Some of it will be rushed through on Wednesday after the Prime Minister's peremptory decision to delay elections. If we had the opportunity for which the amendment provides, and drafts were available and we had time to consider them properly before both Houses of Parliament pronounced on them, we would at least have some protection. That is increasingly absent from our parliamentary process.

Mr. Bercow: I am sorry to trouble my right hon. Friend, but this dog does not wish to abandon the bone yet. My right hon. Friend's demands are always timid and moderate, and I wonder whether I can stiffen his backbone on the amendment by urging him to demand a minimum of three months for consultation on the proposed regulations and a minimum of three months' notice of their required implementation.

Mr. Forth: I do not want to teach my hon. Friend to suck eggs or anything else, but one of the difficult judgments that has to be made is whether to push one's luck. One has to ascertain the likelihood of an amendment being selected for debate. Pushing too far may diminish the possibility of selection and therefore debate. If my amendment appears weak, weedy, pathetic and inadequate, I can only apologise to him and stress that it was the best that I could do while trying to ensure that it was selected. I have, happily, been successful and we have the opportunity at least to discuss the matter. However, I accept his comments. Perhaps I shall try harder next time to get a stronger, more effective amendment selected.

At least we have the opportunity of trying to persuade the Government—I accept that it may be impossible—to contemplate some parliamentary scrutiny, which they want positively to avoid in most other circumstances. I should have thought that even the Government might have realised by now that they only cause themselves more trouble if they avoid such scrutiny. It is becoming obvious that every time they seek to cut off by guillotine

proper consideration of a measure, they subsequently have to return to the matter and take up parliamentary time correcting their earlier error.

On this occasion, my objective is somewhat different. I want to bring into play the full panoply of parliamentary scrutiny and accountability, even in a matter such as this. I said earlier that the Bill and the amendment were matters of moment and substance. Although the Bill is short and modest, it covers important territory and can affect individuals in the most dramatic way.

My amendment seeks to provide for both Houses of Parliament to consider any regulations that might arise from the Bill, to satisfy themselves that they are as they should be. Here, the role of the two Houses of Parliament can often be quite different. Those of us who spend most of our lives in this building, and in this Chamber, understand that, because of the Government's enormous majority, proper scrutiny and accountability have been a struggle in this Parliament to put it mildly. Although my hon. Friends have worked manfully, and, in some cases, womanfully, to hold the Government to account, it is very difficult, particularly in a Standing Committee in which the Government may have 14 members and the official Opposition—

Madam Deputy Speaker: Order. May I once again ask the right hon. Gentleman to confine his remarks to his amendment?

Mr. Forth: I certainly will, Madam Deputy Speaker. My amendment refers to a draft of the regulations

"being laid before Parliament and approved by a resolution of each House."

You do not want me to give my modest analysis of the inadequacies of the scrutiny process in Standing Committee, Madam Deputy Speaker, so I shall have to deny that to myself and to the House. However, I want to emphasise the importance of proper scrutiny at the stage of introducing regulations—rather than in Standing Committee or in the introduction of primary legislation—to try to provide a safety net so that if, by some chance, proper scrutiny has not been possible in Standing Committee, we have the opportunity to pick up the pieces and provide the necessary degree of scrutiny.

That process would, nevertheless, be inadequate because—as my hon. Friend the Member for Buckingham (Mr. Bercow) would be the first to point out if I did not—no amendments would be allowed to be made at that stage, and I regret that. That is something we have to live with. The Procedure Committee has considered from time to time whether it should be possible to table amendments when introducing regulations, but has not yet seen fit to take the matter further. We must therefore accept that, in this case, scrutiny and accountability are available only on a take-it-or-leave-it basis.

If my amendment were accepted, it would still be possible for the Government to lay the draft regulations before this House—and, I believe, another place—and then say, "We, the Government, want you to approve this, and if you do not, it will fall." That is often used as a kind of blackmail, in which the Government say, "If you do not accept this, nothing will happen." I would often prefer nothing to happen. I often feel happier with nothing than with something flawed, bad or undesirable. Perhaps I have not yet been able to persuade my hon. Friends of that in a sufficient number of cases. However, in this case, I shall have to be satisfied with this degree of scrutiny and accountability, because, that is all that is procedurally available.

It is important to understand why I want both Houses to be involved in this process. I am very keen that we should always acknowledge the role of a bicameral Parliament, such as we have here. For those who argue for the so-called primacy or supremacy of the House of Commons over the House of Lords, my answer these days is that Members of the House of Commons show it increasingly less respect. They are prepared to turn up less and less often, so why we constantly talk about the supremacy of this place is increasingly beyond me.

For that and other reasons, I am more and more enthusiastic about ensuring that we involve the House of Lords in such processes as often as possible. If we undertook an analysis, which you would not want me to do at this stage, Madam Deputy Speaker, we would probably find that the attendance record of Members of the other place is better than that of Members of this place. Looking round the Chamber perhaps provides a good example of that.

More importantly, I want the regulations to be approved by both Houses because we have in the other place expertise and experience that is often not available in the House. That is an important factor. Notwithstanding the fact that there are distinguished legal experts sitting on all Front Benches, even they would perhaps admit in their different ways that scrutiny by another place might provide that extra bit of added value and quality in the parliamentary process which we, even on a good day, may not be able to provide.

Parliamentary scrutiny by both Houses provides that extra dimension, which is very valuable, and I leave it to my colleagues to make their own judgment about the value of scrutiny by the House of Commons when we have a Government with such a large majority. It is for another time for us to digress and debate the relative merits of majorities of various sizes, but size does matter in this example. I hope that all Members present agree that scrutiny by the House of Lords of a Bill covering territory and issues such as these would be extremely valuable and would greatly reassure people, particularly in relation to the Legal Services Commission and access to justice.

Mr. Bercow: I understand the significance of the point that my right hon. Friend is making, but I would not want his important amendment to be subject to the grisly fate of the self-congratulation of the lawyers—I am not a lawyer and I say that as a matter of pride. Does he agree that, in addition to any consultation that might usefully take place with them, consultation with other parties, including representatives of victims' groups, could be of inestimable value?

Mr. Forth: That is true, but my hon. Friend has put a rather worrying thought in my mind. Rather uncharacteristically, I praised those on the Front Benches and they all looked appropriately modest and humble.

Mr. Bercow: They are all lawyers.

Mr. Forth: Indeed. That is why I praised them—in the context of what I was saying, it was appropriate—but my

[Mr. Forth]

hon. Friend has shown us the other side of the coin. He is right that, time and again, we in this House—and, I expect, those in the other place—find that the very people who scrutinise such Bills have not only the most knowledge but some professional interest which, albeit a proper one, may none the less affect their judgment.

At what point could we expect input or involvement from those we would expect to benefit from the measures in the Bill? My hon. Friend mentioned victims' groups, whose involvement may be the most appropriate, and we might think of many other such bodies. Who would represent the taxpayer here? I leave that to one side, but one can already identify what dilemmas would arise during consideration of such a matter. Of necessity, we would require a degree of expertise to be brought to bear.

Mr. Burnett *rose—*

Mr. Forth: Talking of expertise, I give way to the hon. Gentleman.

Mr. Burnett: I am extremely grateful to the right hon. Gentleman, who is being very shy. He should not underplay his own contributions to legal affairs debates. Does he recall a Committee debate on conditional fee agreements in which he took part? Does he remember the points that he made?

Mr. Forth: The hon. Gentleman is very kind. Were I to try to remember all the points that I have made in my brief and inglorious parliamentary career as a Government Back Bencher, a Minister and an Opposition Back Bencher, I would have to be Mr. Memory Man. Perhaps I have allowed the contributions mentioned by the hon. Gentleman to slip my memory, but I am flattered that he remembers them: that is very reassuring.

5.30 pm

I do not want to detain the House for long, but I believe that this is an important matter, to which we should give serious consideration for at least a short time. On occasions such as this, we are being asked to decide whether we trust the Government. If the Bill proceeds as it is currently worded—without my amendment—the Government will be contemplating regulations that would presumably be made under the negative resolution procedure, as my hon. Friend the Member for Buckingham pointed out, and therefore potentially made by default. Do we wish to allow that, or do we want the reassurance of a provision predetermining the procedure by stating that both Houses must give positive consideration and approval to the regulations?

The issue is no less important than that—and, as I have said, the fact that it is arising in connection with more and more Bills, albeit of varying sizes and importance, suggests that we may have to return to it ever more frequently, for as long as the Government insist on trying to get legislation through Parliament guillotined, with provisions such as this half-hidden in it.

I hope that I have said enough to persuade my right hon. and hon. Friends, but more particularly the Government, that the matter requires proper consideration. Perhaps, if I am lucky, the Government may even see fit to accept my amendment.

Mr. Edward Garnier (Harborough): I congratulate my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) on highlighting a particularly important constitutional question that the Government have failed to recognise during their four years in office.

The Bill, which seeks to correct the so-called Access to Justice Act 1999, clearly demonstrates the problem described by my right hon. Friend: the Government's use of secondary legislation to make changes in primary legislation. I think—and I know our Government did it as well—that that is an appalling development in the modern history of our Parliament.

In the Access to Justice Act, the Lord Chancellor gave himself—or this supine Parliament gave his office—some 37 powers to make regulations. We are discussing this Bill now because the Lord Chancellor's Department made a mess of it. No doubt overburdened by the number of regulatory powers conferred by this supine Parliament, it has had to produce a Bill that, in my view, would more properly be called the Access to Justice (Cock-up)(No. 1) Bill. No doubt, if the current Parliament continues for much longer, we shall be presented with subsequent cock-up Bills—Nos. 2, 3 and 4—to deal with other parts of the Access to Justice Act that need correcting. I shall say no more about that, however: my general point is one that I have made on a number of occasions, and repetition never made a good point better.

My right hon. Friend has drawn attention to an important subject, which the Government continuously fail to recognise and of which any Opposition worthy of the name should continually remind the House.

Mr. Burnett: I too support the amendment, but I am surprised that the right hon. Member for Bromley and Chislehurst (Mr. Forth) did not make one point—unless I missed it during his eloquent summary. The regulations may have retrospective effect, which makes the case for the amendment even more compelling.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): The right hon. Member for Bromley and Chislehurst (Mr. Forth) is entirely correct: the amendment would substitute the affirmative for the negative resolution procedure. In other words, we would have to have a debate on every single regulation made under section 13(1) of the Access to Justice Act 1999, rather than giving the Opposition the opportunity to scrutinise regulations and decide for themselves whether to pray against them. That level of parliamentary scrutiny would certainly be unusual, given the type of regulations that could be anticipated in the future, and in the particular case of the regulations already contemplated under the Bill, it would be positively unwelcome.

I am grateful for the right hon. Gentleman's comments about scrutiny. He is fabled for his scrutiny, and I was certainly grateful for his suggestion in our debate following Second Reading that the time allocated for Committee proceedings in the programme motion was wholly inadequate. He may be aware that the Committee did not take the full 10 hours allocated: it took 18 minutes.

Mr. Forth: That is because I was not there.

Mr. Lock: That may well be true.

Generally, the affirmative procedure is considered appropriate for powers substantially affecting the provisions of Acts of Parliament, powers to impose or increase taxation or powers involving considerations of other special importance, such as powers to create new varieties of criminal offence of a serious nature. The powers to make regulations under section 13(1) of the 1999 Act do not fall into any of those categories. That section, as amended, will give power to prescribe situations in which individuals involved in criminal investigations or proceedings should receive publicly funded advice and assistance.

Hon. Members know, because we debated it during earlier stages of the Bill, that our intention is to replicate the current circumstances in which advice and assistance are available. Those circumstances are prescribed in regulations made under the negative procedure under the Legal Aid Act 1988, passed by the previous Government.

It is possible to imagine a situation in which a new procedure would be needed—for example, if changes had to be made in social security benefit levels—to ensure that advice and assistance financial limits remain in line with the changes, but those are not the sort of changes that should automatically be debated in both Houses. The negative procedure, to which the regulations will be subject, will ensure that if the regulations proposed are more controversial, there will be an opportunity for debate, should the Opposition pray against them.

In the case of this Bill, the amendment would have very serious effects. Hon. Members will be aware that the Bill and the regulations made under it are capable of retrospective effect. That was to ensure that if Royal Assent was given after the Criminal Defence Service was commenced there would be no gap in provision. The CDS has come into existence today, and clearly we have yet to receive Royal Assent for the Bill. As soon as that is given, regulations will be brought into effect that provide that advice and assistance will be available in exactly the same circumstances as under the Legal Aid Act 1988.

If we had to wait for parliamentary time to be available for two further debates, both here and in the other place, the law would remain uncertain for a considerable period, because no power would formally exist to provide advice and assistance in criminal cases. That is the lacuna that the Bill is intended to close.

Mr. Forth: The Minister may have partially answered my question already. At the beginning of his remarks, he said that he envisaged that a number of such regulations might have to be brought forward. I know that it is asking for a gift of foresight, but it would be helpful if he could tell us whether he has any idea of the number and frequency that may be involved. If the regulations were to come in a steady flow, that would be one thing; if they were to be occasional and sporadic, that would be quite another, notwithstanding his point about the need for speed of response.

Mr. Lock: I am prepared to answer that question in this way. Two types of regulations are likely to be made under section 13(1). First, there are regulations that will extend the advice and assistance to new circumstances. If, for example, the House were to pass into law the International Criminal Court Bill, so the International Criminal Court came into existence, it would be necessary to prescribe circumstances in which advice and assistance could be given to persons coming before the court.

The far more usual way in which regulations are made under section 13(1) is to reflect the financial limits that are available to prescribe who can and cannot receive assistance in these circumstances. Clearly, it would not be right for the matter to be debated by both Houses of Parliament every time that there was a financial change, because benefits are uprated annually, or however it may be.

It is not the Government's intention, save in the very unusual circumstances of the International Criminal Court, which is an example of extension in scope, to make a change to the method or substance of the way in which advice and assistance are given. On that basis, bearing in mind the situation concerning the Criminal Defence Service, which comes into effect today, and despite the right hon. Gentleman's desire for proper scrutiny, I invite him to withdraw his amendment.

Mr. Forth: I am grateful to the Minister for his detailed reply to the debate. Although I appreciate his point about the need for what may be frequent—he said annual—adjustments resulting from benefit upratings or changes, the difficulty is that neither the wording of the Bill as it stands nor my amendment can distinguish between regular, relatively minor, changes and occasional, rather substantial changes. He said that he thinks that it will be mostly routine annual or semi-annual adjustments that are made, but other fairly large changes could take place in the meantime.

Mr. Lock: Does the right hon. Gentleman agree that if he felt strongly about substantial changes under the International Criminal Court Bill, it would be appropriate to pray against them and have the debates? If the changes were more routine, would it not be appropriate to allow them to go through without a debate? Is that not the precise purpose of the negative resolution procedure?

Mr. Forth: Indeed it is. I am grateful to the Minister. However, I think that the problem with his suggestion is that praying against, in my experience, tends to work almost entirely or exclusively if it is done by Front-Bench Members, and rarely if it is done by modest, humble and obscure Back Benchers. Of course, my trust in my Front-Bench colleagues is almost boundless. However, I can imagine the odd circumstance in which it might just be possible that my Front-Bench colleagues were prepared to allow something to go through unchallenged and on the nod and I might not feel entirely happy about it, so I accept the Minister's point only partially.

I am grateful for the opportunity to raise these matters. I sense that it probably is not the will of the House to have a Division on the matter at this stage. I am prepared to let it rest on the basis of the Minister's assurances and the points that my hon. and learned Friend the Member for Harborough (Mr. Garnier) has made. On that basis, and with some reluctance, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

5.44 pm

Mr. Lock: I beg to move, That the Bill be now read the Third time.

This is a short Bill, but an important one for anyone who is concerned with criminal justice. It will allow the Legal Services Commission to continue to fund the same level of essential legal services for those facing criminal charges and ensure that the Legal Services Commission may fund, under section 13, advice and assistance that includes advocacy. Additionally, the Bill seeks to ensure that advice and assistance are available to those who are involved in criminal proceedings rather than only to those who are involved in criminal investigations.

There was a short but constructive debate in Committee, with no amendments being moved. As the House is undoubtedly aware, on Report in the other place, the Government moved three amendments to the Bill, the combined effect of which will allow the Bill, on enactment, to have retrospective effect. When we amended the Bill to make it capable of retrospective effect, we felt that we might be erring on the side of caution. However, by the smallest margin, it has proved to be a necessary amendment. The provisions establishing the Criminal Defence Service came into force today, and I confirm to the House that regulations will be made under the Bill immediately it receives Royal Assent.

The draft of the Access to Justice Act 1999 that was originally presented to the House would not have left the lacuna. However, in attempting to respond constructively to amendments and issues raised by hon. Members on both sides of the House, the Government accepted various amendments. Unfortunately, during the scrutiny of those provisions, it was not appreciated that amendments that had been moved both by Opposition Members and by Labour Members would leave that small lacuna. The gap is, nevertheless, an important matter, and I should be grateful if the House would close it by allowing the Bill a Third Reading.

5.46 pm

Mr. Garnier: The Bill arose from the unintended consequences of the relationship between sections 13 and 14 of the Access to Justice Act 1999. The junior Minister in this place—the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Wyre Forest (Mr. Lock)—and the junior Minister in the other place, Lord Bach, readily acknowledged those consequences, but they have not acknowledged that this little Bill is itself a direct consequence, undoubtedly unintended, of the Government's decision in the earlier weeks of this Parliament to crash through the 1999 Act without seriously thinking about the problems that could arise.

It is of some interest that the Minister has yet again sought to attach some blame to the Opposition for the sorry state of the 1999 Act, which is the reason that we need this Bill. As I recall it, none of the amendments to the Access to Justice Bill moved in Committee by official Opposition Members were accepted by the Committee, and the only amendments that were accepted were those moved by the Government and voted through—undoubtedly without adequate understanding—by Government-supporting Members.

Therefore, if the Government are worried about the state of the 1999 Act and the need for this Bill to correct it, they have only themselves to blame. The problem arises not least because the 1999 Act is a Christmas tree that allows the Lord Chancellor to aggregate to himself a huge and unprecedented number of powers to make secondary legislation, the effects of which we are now having to correct.

The Government fancifully called the original legislation the Access to Justice Act, but my view is that it should be called the "Denial of Access to Justice" Act, and the Bill demonstrates why. In the Legal Aid Act 1988, the initial advice and assistance available to those who are facing criminal proceedings included limited support in court. By contrast, it is unlikely that section 13 of the 1999 Act would have allowed the Legal Services Commission, via the Criminal Defence Service, to fund advocacy services in situations such as making a bail application or representing an accused person who is at risk of being imprisoned. Equally, the provision could well have inhibited the representation of someone who is at risk of being imprisoned for failure to pay a fine or obey a court order. Those are not small matters.

Indeed, the author of the error is happily with us now—I am delighted to welcome into the Chamber the Secretary of State for Defence, who, when the 1999 Act was considered in Committee, was the Parliamentary Secretary, Lord Chancellor's Department. How things have changed. None the less, the mistakes have lived on after his time at that Department.

I do not wish to prolong the Government's agony by letting this debate continue unnecessarily into the evening—although I gather that even this debate will be guillotined, at 7 o'clock. Nevertheless, I do not intend to spend the next hour or so dilating—as one of our Committee Chairman used to say—on the defects of the 1999 Act, as they will shortly be corrected on Royal Assent to this Bill. It is, however, an object lesson in the proper construction and making of legislation. The Government have a vast—indeed, an unhealthily large—majority. Nine or 10 Government Members served on the Bill's Standing Committee; only one of them, the Parliamentary Secretary, spoke. The others may or may not have listened, but their Committee activity hardly constituted scrutiny. Perhaps that is unsurprising in relation to a small Bill such as this, but had they not engaged with the Access to Justice Bill Standing Committee in exactly the same way, the problem faced by the Government might not have arisen and there might have been no need for the Bill.

The official Opposition give the Bill our broad but sad support—sad in the sense that we should not be in this position, but as we are, it is right that the Bill achieves Royal Assent as quickly as possible.

5.51 pm

Mr. Burnett: I declare that I am a lawyer, but I do not practise as such.

The Liberal Democrats have also gone along with the Bill—for want of a better of expression. However, I warn the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Wyre Forest (Mr. Lock), that the public defender system will not be as cost-effective as the existing provision through private practitioners. Private practitioners are competitive and do not require a huge new infrastructure and the administration costs that will be spawned by the public defender system.

I have said to the House on many occasions that real independence and the perception of real independence are crucial in the administration of justice. We have always

opposed a salaried defender system because we do not believe that the state should provide the court administration, the prosecution and the defence.

I also warn the Parliamentary Secretary that the state defender system that the Government are intent on setting up will be significantly more expensive to operate than an efficient system of independent private practitioners working through the legal aid system. It is regrettable that the Government are intent on continuing with the measure; nevertheless we shall reluctantly go along with it.

5.52 pm

Mr. Forth: It is not often that one hears such half-hearted support from both sides of the House. I feel that I should say a few words, as it looks as though I shall be the only non-lawyer to have said anything about the Bill during this stage of its proceedings. On behalf of all non-lawyers everywhere, I shall make a few comments.

Given the intimate relationship—about which we are learning—of the Liberal Democrats with the Government, how is it that the Liberal Democrat spokesman, the hon. Member for Torridge and West Devon (Mr. Burnett), finds himself having to express such grave reservations about the thrust of the Bill and of the legislation from which it emerged? Indeed, my hon. and learned Friend the Member for Harborough (Mr. Garnier), while giving the measure his reluctant and half-hearted support, also felt obliged to remind himself and the House of the fact that the Bill emerged from a series of errors and probably from a failure of scrutiny—not merely of this measure but of the previous legislation. We find ourselves in a sad and sorry state.

No one wants the Bill. Everyone wishes that it was not before us. The Government have not even apologised for it, but we are getting used to that. None of us is satisfied that it will add to the sum of human well-being, but we are stuck with it. The judgment of the lawyers among us is that the measure will bring some small net benefit or will limit the damage—one or the other—so we should feel obliged to accept it.

Mr. Garnier: One of the sad aspects of this correcting Bill is that it exposes the Government's rubber-stamping of legislation under the Human Rights Act 1998. No doubt my right hon. Friend will remember that when the Access to Justice Bill was published, its cover carried a declaration from a junior Minister in the Lord Chancellor's Department that the Bill complied with the Human Rights Act. Clearly, it did not, but we were required to assume that it did because the Minister had said so. That measure will be brought back into compliance with the Human Rights Act because we are bringing access to legal aid for criminal defendants into line with the European convention and the Act. Regardless of what one thinks of the Human Rights Act and of the convention—

Mr. Forth: Very little.

Mr. Garnier: Well, one ought to think more of it unfortunately—certainly rather more than the Government do. At last, we have brought the Access to Justice Act 1999 back into compliance with the Government's own wretched legislation.

Mr. Forth: I am tempted to say that that would almost be a reason for me not to support the Bill. I do not agree with the Human Rights Act. I have little time for the convention, which has long since passed its sell-by date and the Act is a mess and a monster that we shall all regret. However, for the sake of legislative consistency, I accept the point that my hon. and learned Friend makes. If, as he tells me, the measure will achieve the result of bringing us into compliance with the Human Rights Act—although I do not support the Act and have no interest in the human rights convention—I suppose, for that reason alone, that it is probably necessary for us to support this increasingly dreadful-looking little Bill.

All in all, none of us has any enthusiasm for the measure; we all regard it as an extremely regrettable necessity and for that reason, I suppose that we ought to let it go through. I hope that the lessons from it will have been learned, although I am not optimistic. One of these days, surely even the Labour Government, in the short time they have left to survive—although they gave themselves a little more life today—will learn that to do the job properly, to allow Parliament to do its job properly and to allow the Commons to scrutinise is not something to be avoided but to be welcomed. In the end, that is of benefit to the Government and, indeed, to the people of this country. However, I do not expect that lesson to be learned yet. It may be that the Government will have to lose an election before they are allowed to ponder those matters in opposition.

5.57 pm

Mr. Lock: With the leave of the House, I shall respond briefly to the debate.

I thank the hon. and learned Member for Harborough (Mr. Garnier) and the hon. Member for Torridge and West Devon (Mr. Burnett) for their support for the Bill. The hon. and learned Member for Harborough was fair. He made his usual criticisms. He said that repetition never made a good point better. I entirely agree, although as he has again demonstrated, it is capable of making a bad point worse. None the less, I am grateful for his support and that of the hon. Member for Torridge and West Devon. I hope that means that the House will not divide on Third Reading.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Armed Forces Bill [*Money*]

Queen's recommendation having been signified—

5.58 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I beg to move,

That, for the purposes of any Act resulting from the Armed Forces Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the expenditure of the Secretary of State in respect of Her Majesty's Inspectors of Constabulary.

The Ministry of Defence police are already inspected by Her Majesty's inspectors of constabulary by invitation. Inspections occur every four years or so. As a result of amendment No. 8, which we shall discuss later, the process will be placed on a statutory basis comparable to that which applies to the inspection of Home Department police forces. That will not of itself give rise to significant additional costs. However, because a statutory duty will rest on the inspectorate, it is necessary that the House should agree to a resolution authorising that the cost be met from public funds.

I commend the motion to the House.

5.59 pm

Mr. Robert Key (Salisbury): The Opposition cannot carp at this money motion as it will cover a proposition put by us in Committee; and we are grateful to the Government for putting it on the Order Paper. Indeed, we are so grateful that, later on, I shall not have to move new clause 1.

Nevertheless, the Under-Secretary of State for Defence makes an extraordinary statement. I had not expected a money motion to be tabled at all at this stage; normally, one would expect it to occur after a Second Reading Division. The Minister says that the advice of his Department is that it is expedient to introduce such a motion. Will he answer a simple question? How much did the previous inspection cost? That would give us a clue to what is anticipated, because in the report of Her Majesty's chief inspector of constabulary for the last year available—1999–2000—we are specifically told that the costs of the inspectorate are funded directly by central Government and provided through the policing and crime reduction group of the Home Office and that, each year, the inspectorate receives income from two separate allocations. The day-to-day running costs are subject to a specific funding allocation, while income and capital spending are accounted for separately, and the expenditure is controlled by Government accounting rules.

Dr. Moonie: Perhaps I can answer the hon. Gentleman's question. The cost is difficult to predict, but we have made an allowance of approximately £100,000 to cover all the costs related to the forthcoming inspection.

Mr. Key: I am grateful to the Minister, but I asked him what the previous inspection cost. I am sure that that answer will be forthcoming, but I am glad that he has specified the figure of £100,000. As he has already been able to tell us that the inspection will cost up to £100,000, I should be grateful to him if he could explain why the report of Her Majesty's chief inspector of constabulary states:

"Police authorities and police forces in England and Wales are not charged for any inspections: the reports of inspections of individual forces and thematic inspection reports are also issued without charge."

It continues:

"The cost of undertaking all inspections is funded from the annual running cost allocation of funds. Unlike some of our partner organisations any external income generated through inspecting non-Home Office forces such as British Transport Police and Isle of Man Constabulary cannot be used to increase the running costs provision."

So what will that £100,000 be spent on, because it is clearly not going to Her Majesty's chief inspector of constabulary or to the Home Office? If the Minister will kindly answer those straightforward questions, I am sure that we can make progress.

6.2 pm

Mr. Eric Forth (Bromley and Chislehurst): The Minister very kindly told us that no significant extra costs would be involved, but under extreme pressure from my hon. Friend the Member for Salisbury (Mr. Key), he then told us that he had made an allowance of £100,000, presumably per annum—

Dr. Moonie: Per inspection.

Mr. Forth: The Minister corrects me. Perhaps we shall find out how often those inspections are expected to take place in due course, but that figure is not stated in the money resolution.

One of the great difficulties with such money resolutions is that, unlike many of the other financial matters brought before us in which either specific amounts or upper limits are specified, we tend to face wording of the kind that we are considering now. The resolution states that

"it is expedient to authorise the payment . . . of any increase attributable to the Act . . . in respect of Her Majesty's Inspectors of Constabulary."

It one thing for the Minister to say in his characteristically open and honest way that he expects only £100,000 to be involved in this case, but that is not what the money resolution states. It states:

"for any Act resulting from the Armed Forces Bill, it is expedient to authorise the payment out of money . . . of any increase attributable . . . in respect of Her Majesty's Inspectors of Constabulary."

If I were a more cynical and unbelieving chap, I might say that the money resolution, if we were to approve it, would seem to give carte blanche to the Secretary of State to spend almost any sum that he wanted

"in respect of Her Majesty's inspectors of constabulary."

The Minister looks perplexed, so perhaps he thinks that the money resolution will allow him to spend only the £100,000 that he anticipates will be spent on inspections, but the motion does not say that. We are faced with the difficulty that, in the current circumstances, this Minister, knowing what he now knows, envisages that an inspection will cost about £100,000, but, of course, circumstances and, dare I say, Ministers can change, and this genial and

helpful Minister might not always be in charge of such matters. Indeed, this Secretary of State may not be in charge of them. So we are really being asked to say that, whoever the Secretary of State is and in whatever circumstances he finds himself, he will be authorised to pay any increase in expenditure that he sees fit in respect of the inspectors of constabulary. In effect, that is a blank cheque.

I should have been more reassured, frankly, if the money resolution had stated, "£100,000 per inspection"; or I might have been prepared to accept it if it had stated, "£150,000 per inspection", to provide some leeway and allow flexibility for any contingency. I am worried about the gap between what the Minister knows—he has told us, quite openly, what he envisages—and what the wording will allow. By agreeing to such a money resolution, I wonder whether the House is doing its job properly as the custodian of taxpayers' money and as the authority that can spend, which is the role that we have developed for ourselves over the centuries.

Perhaps this is not the right occasion to consider it because the amounts involved are not that great, but I occasionally wish that the House would reject a money resolution of this kind to force the Government to introduce more specific money resolutions. That would at least give us some sort of fig leaf which would enable us to tell our constituents, the taxpayers and the voters that, yes, we are looking after their money responsibly and, no, we are not allowing the Government to get away with murder and to spend as freely as they would, no doubt, wish to do. Unfortunately, this might not be the occasion because as my hon. Friend the Member for Salisbury has said, it appears that the Government have accepted his inexorable logic and wisdom, have altered the Bill appropriately and, therefore, have asked the House to approve the extra expenditure.

I shall gloss over the fact that my hon. Friend seems to be contributing to an increase in public expenditure. He and I can perhaps have a word about that later. Perhaps this is not the occasion on which the House should make the gesture that I believe it should make on money resolutions, but I wanted to tell the House that, at the moment, we are issuing blank cheques and, however genial the Secretary of State and the Minister may be, I am not sure that I would trust them quite that far. So, as time unfolds, we shall have to keep an eagle-eye on the Minister to ensure that, somehow, we can hold him to his £100,000 and that there is no question of expenditure on Her Majesty's constabulary running riot as a result of this rather over-generous money resolution.

6.8 pm

Dr. Moonie: Given the number of resolutions to which the right hon. Member for Bromley and Chislehurst (Mr. Forth) has spoken, I should have thought that he would understand their purpose. They are not intended to authorise the expenditure of specific sums; nor do they set a budget.

Mr. Forth: They should.

Dr. Moonie: No, they should not; there is another appropriate procedure for that. They are an authorisation to spend money under a particular heading when that heading is placed on a statutory basis. When the statutory basis of expenditure in the Department is changed under primary legislation, there must be a money resolution to cover it.

I do not have the figure for the cost of the old inspection because I did not imagine that the hon. Member for Salisbury (Mr. Key) would want to know it, so I suspect that I shall have to tell him in writing. The provision of £100,000 is for a non-statutory inspection where we meet the legitimate charges of Her Majesty's inspector of constabulary. In fact, under the new statutory basis, we shall, in turn, be obliged to supply officers to carry out inspections elsewhere, so we shall not be charged for the inspections. Nevertheless, a money resolution is necessary because there is a possibility of expenditure and because there is a change to our statutory responsibility. So the £100,000 that we have talked about will not be involved, but, alas, our procedures being what they are, a money resolution is required to cover the eventuality.

Question put and agreed to.

Armed Forces Bill (Programme) (No. 2)

6.10 pm

Dr. Moonie: I beg to move,

That the following provisions shall apply to the Armed Forces Bill for the purpose of supplementing the Order of 9th January:

Completion of remaining stages

1. Proceedings in Committee of the whole House and on consideration and Third Reading shall be completed at today's sitting.

Committee of the whole House

2. The Bill, as amended in the Select Committee, shall be considered in Committee of the whole House in the following order, namely, Clauses 1 to 17; Schedule 1; Clauses 18 and 19; Schedule 2; Clauses 20 to 22; Schedule 3; Clauses 23 to 29; Schedule 4; Clauses 30 to 32; Schedule 5; Clauses 33 and 34; Schedule 6; Clauses 35 and 36; Schedule 7; Clauses 37 to 40; Schedule 8; Clause 41; new Clauses; new Schedules.

3. Proceedings in Committee of the whole House shall (so far as not previously concluded) be brought to a conclusion at half past Nine o'clock.

Consideration and Third Reading

4. Any proceedings on consideration, and proceedings on Third Reading, shall (so far as not previously concluded) be brought to a conclusion at half past Ten o'clock.

Programming Committees

5. Sessional Order B (Programming Committees) made by the House on 7th November 2000 shall not apply to proceedings in Committee of the whole House or on consideration and Third Reading.

Consideration of Lords Amendments and further messages from the Lords

6. Paragraphs (6) and (7) of Sessional Order A (varying and supplementing programme motions) made by the House on 7th November 2000 shall not apply to proceedings on any motion to vary or supplement this order for the purpose of allocating time to proceedings on consideration of any Lords amendments, or on any further messages from the Lords, and the question on any such motion shall be put forthwith.

I may not get off so lightly with this motion. I should point out to the hon. Member for Salisbury (Mr. Key) that, in relation to his question in the previous debate, the expenditure was just under £100,000.

The Bill has benefited from the close and careful scrutiny of the Select Committee, under the chairmanship of my hon. Friend the Member for Dunfermline, West (Ms Squire). The Committee made full use of the two months or so available to it, taking evidence on nine occasions in addition to its deliberations on the Bill. Against that background, the time proposed for the remaining stages of the Bill seems appropriate to the number of amendments tabled—including only one from the Government, I am happy to say; all the more so given that most of the amendments address issues that have had more than their share of exposure in the Select Committee.

6.10 pm

Mr. Quentin Davies (Grantham and Stamford): This is a thoroughly unsatisfactory situation. Day after day, night after night, the Government move programming motions to attempt to tell Parliament, the legislature, how long the Executive think is appropriate for us to consider their proposed legislation. That is an appalling pretension on the part of the Executive branch of the Government, and it is unprecedented.

We have had provision for programming motions in this House for about 120 years. It was necessary to bring in those rules because of the systematic filibustering by Irish nationalists in the 1880s. However, it was always considered that such motions were exceptional, used only in response to deliberate filibustering. They were a necessary weapon in our armoury to prevent Parliament from coming to a complete standstill.

Even when I got to the House—in 1987, 100 years after the introduction of the provision to "Erskine May" and our Standing Orders—those procedures were used too frequently, in my view, by the then Conservative Government, as I remember arguing on occasion. Nevertheless, the procedures were used sparingly at that time. It was taken for granted that the Government had to have some evidence of abuse and of deliberate time wasting; for example, if a Standing Committee examining a major Bill had only managed to get through four or five clauses in 100 hours. It was only when the Government could make such a case that they came before the House with such a programming motion.

That procedure was adopted by the Labour Governments of the 1970s and the Conservative Governments of the 1980s and 1990s. In my view, even on that basis, the procedures were used too frequently by Conservative and Labour Administrations. I remember my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd)—who, sadly, is not in his place—arguing forcefully against the excessive use of programming motions by the then Conservative Government, and I remember supporting him in the Chamber.

There was a balance between the Executive's desire to get their business through this place and the feeling that they should be able, at least, to enact legislation for which they had an electoral mandate without being held up indefinitely, and the strong feeling of the House that it was an exceptional, dubious and problematic procedure for the Executive to use their majority to dictate to the legislature the timetable under which they were going to do their job.

I have come to know the Under-Secretary well in the past year, and he is not at all an arrogant human being; that is not his natural stance or character. However, he has been imbued with the atmosphere of the new Labour Administration. Their feeling is that if they have an army of spin doctors and cannon fodder on the Back Benches who are prepared to vote through anything at the beck and call of No. 10, Parliament, does not matter and can be steamrollered whenever required. Increasingly, legislation is simply drafted in Whitehall and enforced on this place by Ministers and the vast voting power that they have at present; I hope it will not be there for much longer.

As a result, we are at real risk of passing legislation that simply has not gone through the proper legislative process. The Under-Secretary said that, given the number of amendments, he thought that two hours was perfectly

adequate to consider the Bill. That is a pretentious and arrogant thing to say, even though he is not by temperament a pretentious or arrogant person. It is sad that someone like him should have been pressed into this procrustean mould of new Labour and come out with such a thoughtless remark—it was, contemptuous of the role of this place. It is important that we have proper time to conduct our procedures; it is far more important than the substance of any particular clause of any Bill.

There are important matters to be discussed in relation to the Bill. On the basis of the record that is before the House, we are concerned that the Secretary of State may have seriously misled this House. I will seek to raise this point later in connection with one of the amendments. It is a serious matter, and if such a serious charge is made, it is important that it be documented. Such a charge must not simply be tossed off frivolously in debate; it should be supported. There must be time to read the relevant quotations—subject to the indulgence of the Chair—and the Government must have time to refute the charge, if refute it they can. I sincerely hope that they can, because the charge is an unpleasant and serious one. It is not in the interests of Parliament—or the Government—that such a charge should lie on the table without being refuted. The Government may be denying themselves the opportunity to do that.

We have a lot of amendments tabled for discussion this afternoon and the Under-Secretary does not know how long we need to discuss them, because they are not Government amendments. The Government said that they had about four amendments and told the House of Commons that we needed two hours to deliberate. I object to that. They do not know how long we need and it is absolutely wrong to try to tell us how to do our job. We would not be doing our job, by definition, if the legislature simply did what the Executive told it.

How much more outrageous and offensive it is—to logic, as well as to the constitutional principle—of the Government to tell us how long we need to present our amendments. They do not even know what lies behind them, or the arguments that we will adduce in their support. They pretentiously and arrogantly assume that, just because they have a majority, we cannot have an argument. Democracy is not based on the principle that because one side has a majority, the other side does not have an argument. Democracy is based on the principle that everybody has the right to say something, even if they are, from time to time, in the minority. They should be heard and considered.

Frankly, that fundamental principle—on which the procedures of this House have been based, which has been around for centuries, and under which we have been the wonder of the world and an inspiration to many nascent democracies around the globe—is being steadily but surely subverted.

My party will continue, in principle, to oppose this form of Executive tyranny. We must: not out of any narrow party political interest, but because it is vital that new Labour's four or five years with a crushing majority do not do permanent damage to the way in which this place does its job. That would be precisely the situation if the Conservative Opposition lay back and let the Government go ahead. We will not do that. We will use whatever means we can to make sure that the public realise what is going on. What is going on is that we have the most arrogant of Governments and they are the most contemptuous of Parliament in historical memory.

Many parties had substantial majorities in the past; we remember the great majorities that Baroness Thatcher, Mr. Baldwin, Mr. Attlee, and Asquith and Gladstone had in their day.

Mr. Paul Keetch (Hereford): Hear, hear.

Mr. Davies: I am delighted to mention the names of two very fine parliamentarians and statesmen who did this country great service in their day. They would not have dreamed of using their majority in this fashion; it would not have occurred to them for one moment. They would have stood at the Dispatch Box and defended their legislative proposals and expected their colleagues in government to do the same. They would not have tolerated for a moment the suggestion from a minion that, because they had a large majority, they need not bother with this place very much and could table a programme motion to foreclose debate in two hours, or an afternoon. That is the situation we have been brought to at the dawn of the 21st century by new Labour and nothing but new Labour. It should be thoroughly ashamed of itself.

The uncharacteristic silence of Government Members suggests that they probably are thoroughly ashamed of themselves. I hope that they continue to be thoroughly ashamed of themselves until they discover the consequence that must inevitably flow from exhibiting such a degree of arrogance in our ancient democracy and from treating the public and Parliament with so little respect.

6.21 pm

Mr. Andrew Stunell (Hazel Grove): I am speaking in the temporary absence of my hon. Friend the Member for North Cornwall (Mr. Tyler). He has made many speeches in similar debates over the past few weeks, so he thought it appropriate to allow me to step in and perhaps mouth his words for him. I say in plain terms that we shall not support the programme motion, and my hon. Friend has put our view of such motions on the record time and again.

The hon. Member for Grantham and Stamford (Mr. Davies) said that democracy meant providing the occasion for all points of view to be fairly represented. That suggests a conversion to proportional representation that I was pleased to hear. However, I wondered in all seriousness whether he could justify the view that this Government came quite where he claimed they did on the index of supreme arrogance. I refer to the previous Government, who abolished the Greater London council, introduced the poll tax and did a string of things that many people at the time thought represented the height of arrogance and indifference to democratic dissent and lawful authority.

Mr. Quentin Davies: I am afraid that the hon. Gentleman has completely missed the point. It is perfectly true that previous Conservative Administrations put through controversial legislation. In retrospect, some of us are not entirely happy with some of it, but we are very proud of parts of it. Some of the legislation was extremely controversial; other Governments in the past have put

[Mr. Quentin Davies]

through controversial legislation, too. The hon. Gentleman's party certainly did, and I mentioned the names of the statesmen who introduced it. Indeed, the Attlee Administration put through some momentous and extremely controversial legislation, but it never occurred to any of those Governments to foreclose parliamentary debate artificially by systematically introducing programme motions in the House. Programme motions were an exception—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must sit down when I am on my feet. The hon. Gentleman and the hon. Member for Hazel Grove (Mr. Stunell) are both missing the point. The debate is about the programme motion for the Armed Forces Bill, so I should be obliged if arguments are adduced to that point.

Mr. Stunell: I certainly accept your reprimand, Mr. Deputy Speaker, if I have strayed, but I thought it appropriate to comment on some of the points that were made earlier.

I return to the central issue. Programme motions and guillotines involve work in progress. Liberal Democrats are willing and eager for an attempt to be made to have legislation introduced and considered systematically and for it to become done-and-dusted law after being satisfactorily scrutinised with a full degree of accountability. We openly say that a system of programming is essential to that. However, there has been a breakdown in the system that was originally approved by a majority of the House. Pending the outcome of the work in progress—it is no secret that the Modernisation Committee is currently debating a draft report to address some of these issues—we will certainly continue to oppose programme motions.

6.25 pm

Mr. Forth: By my calculation, the motion allows us 200 minutes to deal with the 20 discrete matters that represent your wise selection of amendments, Mr. Deputy Speaker. That does not strike me as an inspiring start to our proceedings, because that simple calculation tells us that we have about 10 minutes to discuss each group. If the Government seriously suggest that we should give a Committee of the whole House on such an important Bill 10 minutes to consider each separate item that you, Mr. Speaker, have identified, that sums up as well as anything the contempt in which they now hold the House.

It is curious but significant that, on the very day a generous Prime Minister has given us more parliamentary time than most of us might have expected before the weekend, or at least until the formal statement made earlier today, the Government should now seek to compress our business in such an arrogant fashion. We now know that more parliamentary time stretches ahead of us than we might have dreamed of. Surely, in those circumstances, any reasonable Government would have been prepared to say that they would not press the programme motion because they acknowledged that a Committee of the whole House on a Bill of such importance should be given a proper amount of time for deliberation? Even if we thought that we would not have time to do justice to the Bill, the Government might have been prepared, in the light of circumstances, to allow the Committee more time to deliberate on the Bill. That would have been a reasonable response.

Speculation in the press over the past 24 or 48 hours has suggested that Parliament will be embarrassed by the amount of time that we have on our hands. What are we going to do with it? I suggest straight away that the Government could withdraw this outrageous programme motion and say, "We the Government are now prepared to give the Committee a proper amount of time to consider the matters before us."

The Bill has 41 clauses and eight schedules and my hon. Friends have tabled new clauses and amendments which cover important issues. For example, amendment No. 8 deals with the functions of inspectors of constabulary, and that amendment alone would require a considerable amount of time to be properly considered by the Committee. Amendment No. 7 deals with protocols between the Ministry of Defence and the domestic police forces; even to a layman like me, who has not been involved in the detailed scrutiny of the Bill, that is patently an important issue.

In a Committee of the whole House, 500 or so Members may be present and they may all be eager to participate in the debate. If we did the arithmetic properly, we would consider not only the 20 discrete items that must be considered in 200 minutes—10 minutes for each item—but the fact that up to 500 Members may all be eager to speak. The House will readily be able to work out that 10 minutes divided by 500 does not give much time for individual Members to contribute.

As my hon. Friend the Member for Grantham and Stamford (Mr. Davies) so eloquently said, we have been reduced to hearing the Government tell us that parliamentary scrutiny does not matter any more, that they can rush Bills through in a peremptory fashion, that time is no longer of any relevance, and that they can compress consideration of Bills to such an extent that proper scrutiny cannot possibly be given to matters as important as those with which the Bill deals. Even if we were to devote all the time left—the three hours from 6.30 to 9.30, when the guillotine falls on the Bill yet again—to considering the functions of inspectors of constabulary, it would not be sufficient time to enable many of my hon. Friends who have great expertise and knowledge to make significant and substantial contributions.

All in all, we have here the logical outcome of the process that even the Liberal Democrat spokesman was moved to describe as unsatisfactory. He stated, with all the vehemence that Liberal Democrats can muster, that his party would not be supporting the motion. Those are strong words from a Liberal Democrat—we had better all beware, because when the Liberal Democrats threaten not to support something, it is pretty serious. Of course, we Conservatives will actually oppose the motion.

Mr. Stunell: If the right hon. Gentleman refers to the Library, he will find that Liberal Democrats have a better voting record in the House than Conservatives, and that we have a very good record of voting against the Government when necessary.

Mr. Forth: I presume that they have an even better record of not supporting the Government. When the House divides, we shall see how many Liberal Democrats

are present and what they do. Perhaps afterwards the hon. Gentleman and I can compare voting records to see whose is bigger.

The motion is an extreme example of a process to which the Government hope we shall quietly become accustomed and which we shall come to accept as routine—to the extent that we eventually give up our opposition. However, as my hon. Friend the Member for Grantham and Stamford said, we shall not give up our opposition as long as the Government handle such matters in such a fashion and tell the House that consideration by a Committee of the whole House of a Bill of such size, complexity and importance will be allowed only a ridiculously limited time. That is not what the people of this country expect of their Parliament in its discharge of its role of scrutinising legislation and holding the Government to account. When the general election takes place, whether it be on 7 June or at some later date, we shall draw these matters to the attention of the electorate and invite them to pass judgment.

6.33 pm

Mr. Peter Viggers (Gosport): I hope that the Minister felt some sense of shame when moving the programme motion. It was an unpleasant thing to have to do and we know that temperamentally he is not that sort of hon. Gentleman. A programme motion is intended to railroad through a measure by taking away from the Opposition the only weapon they have: time. The ability to extend debate in the hope of persuading the Government to change their course is the only weapon available to us. That is why it is crucial that every programme motion be opposed, unless there are exceptional reasons that justify the Government's belief that the Opposition are wasting time.

Let me describe how a Select Committee on an Armed Forces Bill operates. I speak as one who chaired the relevant Select Committees in 1986 and 1996. Eleven Members of Parliament are selected to serve on the Committee. On this occasion, for the first time, no one with any service experience was put on the Committee, which was packed with Ministers and Parliamentary Private Secretaries. The Committee tends to work in an harmonious fashion—I am sure it did so on this occasion, under the excellent chairmanship of the hon. Member for Dunfermline, West (Ms Squire), whose interest in defence matters is long standing. The members of the Committee work together closely on their task, which is to consider, scrutinise and perhaps amend the pattern of discipline and the structure of the armed forces. As they do that, they take evidence from armed forces personnel. In my experience, they always develop great respect for those who work in the armed forces and the Committee tends to develop an extremely harmonious working relationship.

Mr. Forth: Does my hon. Friend believe that a consensual, harmonious, cosy Committee is necessarily the best way to produce sharp-edged scrutiny of legislation; or does he share my suspicion that, every now and then, cosy consensuality gives rise to sloppy, poor legislation?

Mr. Viggers: My right hon. Friend makes a good debating point, but in the case that I describe it is good that the members of the Committee tend to be harmonious in their desire to do their best for the armed forces and to respect the highly taxing circumstances in which forces personnel serve. In this case, harmony promotes good legislation.

That harmony usually extends to agreeing the manner in which the programme of the Committee is to be handled. I am not aware of any previous occasion on which it has been necessary in any way to curtail discussion by a Committee of an Armed Forces Bill. Today therefore marks a first. The Government have stood on its head the practice developed over the years of harmony and agreement between the sides.

In that respect, I mean the two sides of the Committee, but on occasions it can be extremely helpful for the whole Committee to have available to it the weapon of time. I recall that, during the passage of the Armed Forces Act 1996, the Select Committee achieved consensus and harmony in its wish to prevent the then Government from implementing their proposals to change the basis on which Greenwich hospital was dealt with by the Government. The Committee wanted to express to the Government its discontent with the manner in which the Government proposed to deal with the future of that institution. I, as its Chairman, expressed the Committee's view that we were not prepared to accept the proposed legislation. The Government had to change their approach, and what emerged was a better relationship between the Government and the management of Greenwich hospital—one that has ensured both that the fabric and architecture of Greenwich hospital are retained in their present form, and that its traditions are respected by its owners. The weapon of time can be extremely valuable, whether it enables the Opposition to make representations to Government members of the Committee, or enables the Committee as a whole to make representations to the Government.

I profoundly regret the way in which the Government have sought to curtail discussion of the Bill. The current Government are arrogant: the Prime Minister rarely attends the House and Cabinet Ministers rarely attend debates. At the start of the debate on the money resolution, I saw the Secretary of State for Defence sitting in his place on the Treasury Bench. That was welcome to me because I believe that, even if they are not personally responsible for piloting it through, Ministers should be present during the passage of legislation that affects their Department. However, the right hon. Gentleman was present for no more than five minutes before disappearing, and he will probably take no further part in the passage of the Bill. That is, to my regret, typical of the Government's behaviour.

The Armed Forces Bill is, of all Bills, the one on which it should be possible for the usual channels—the Whips representing Front Benchers of all parties—to agree a reasonable pattern of debate that is not inflexible and which allows all Members of Parliament to express their point of view. This programme motion is nasty, silly and unnecessary, and I very much regret that it has been moved.

6.39 pm

Mr. Crispin Blunt (Reigate): I rise having had a rather unhappy history of trying to take part in affairs on the Bill. I got a chance to speak on Second Reading, but it will not surprise hon. Members to learn that I would have been keen to be on the special Select Committee that

[Mr. Crispin Blunt]

considered the Bill, given my experience in the armed forces and as a special adviser to Sir Malcolm Rifkind, then Secretary of State for Defence, from 1993 to 1995. I felt that I would have had a deal to contribute to the Bill.

I want to reinforce the point made by my hon. Friend the Member for Gosport (Mr. Viggers) that it is unnecessary to have a programme motion at this stage. It was unnecessary to have a programme motion immediately after Second Reading, when I made what I believe to be the shortest speech in the House of about five seconds before the motion ran out of time.

Dr. Julian Lewis (New Forest, East): It was a very good speech.

Mr. Blunt: I am grateful to my hon. Friend. Some people have remarked that it was the best speech that I have made in the House, but I am not entirely sure that they were being kind.

The point at issue is the way in which the Bill has been handled in the House, which is profoundly unsatisfactory for the armed forces. There is no great controversy between the Government and the Opposition about the detail of issues in the Bill. Excepting the major issue of whether the armed forces should be within the remit of the European convention on human rights—and if it is taken as read that they will be—a lot of what follows in the Bill does not give rise to controversy between the parties.

It is a shame that someone with my background, who wanted to serve on the Select Committee considering the Bill, was not able to do so or give details to it. I then find that the Bill, frankly, is almost a subject for experts in the House; looking round the Chamber this evening, I see the usual suspects on defence issues. It was not necessary for the Government to introduce a programme motion. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) has made clear how little scrutiny there would be if we scrutinised the Bill clause by clause. However, I believe that, on Report, we would have had a chance for proper and detailed debates on issues raised by the Bill, driven by hon. Members on both sides of the House who take a keen and informed interest in those affairs.

That is the duty that we owe the armed forces, not driving through legislation on programme motions—both after Second Reading, to limit consideration in Select Committee and to limit the time on Report, which is a key stage for people like me. Indeed, that will be the only opportunity that I shall have to make known my concerns about the Bill. However, I despair of being listened to by the Government in an area in which I can make a positive contribution. I served on the Committee that considered the Armed Forces Discipline Act 2000 and tabled a number of amendments. It has to be said that not a single amendment, from whatever party, was accepted by the Under-Secretary of State for Defence who took the measure through Committee. Having heard the Home Secretary make the point that he was not aware of any Bill that could not be improved by its time in Committee, it is instinctive to object to the fact that the Government see fit to deal on a programme motion with the armed forces, of all things.

Mr. Viggers: I hope that my hon. Friend will accept that I am not trying to flatter him. I speak the truth when I say that I served with him on the Committee that considered the Armed Forces Discipline Act and was greatly impressed by his contributions, which were based on his military experience and his consideration of the measure. I very much regret that he has not been able to contribute to consideration of the Bill, and that the period available for him to do so is now limited.

Mr. Blunt: I am grateful to my hon. Friend for his kind remarks.

I conclude by expressing distress at the unnecessary procedure of introducing a programme motion on the Bill. It is clear that the House could have come to a perfectly adequate arrangement about the time needed to debate the issues. The programme motion demonstrates contempt, not only for the House but for the armed forces. Outside the House, people may not be too worried about the Executive treating the House with contempt, but there should be serious cause for concern among hon. Members. The matter should be brought to public attention; when it is, the Executive should pay the price.

Question put:—

The House divided: Ayes 282, Noes 134.

Division No. 170] **[6.45 pm**

AYES

Alexander, Douglas
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Blackman, Liz
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim

Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Healey, John
Hendrick, Mark
Hepburn, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Rt Hon Michael
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Kevin Hughes.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
McCrea, Dr William
MacGregor, Rt Hon John
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick

Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wallace, Rt Hon James
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Owen Paterson and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Ordered,

That the following provisions shall apply to the Armed Forces Bill for the purpose of supplementing the Order of 9th January:

Completion of remaining stages

1. Proceedings in Committee of the whole House and on consideration and Third Reading shall be completed at today's sitting.

Committee of the whole House

2. The Bill, as amended in the Select Committee, shall be considered in Committee of the whole House in the following order, namely, Clauses 1 to 17; Schedule 1; Clauses 18 and 19; Schedule 2; Clauses 20 to 22; Schedule 3; Clauses 23 to 29; Schedule 4; Clauses 30 to 32; Schedule 5; Clauses 33 and 34; Schedule 6; Clauses 35 and 36; Schedule 7; Clauses 37 to 40; Schedule 8; Clause 41; new Clauses; new Schedules.

3. Proceedings in Committee of the whole House shall (so far as not previously concluded) be brought to a conclusion at half past Nine o'clock.

Consideration and Third Reading

4. Any proceedings on consideration, and proceedings on Third Reading, shall (so far as not previously concluded) be brought to a conclusion at half past Ten o'clock.

Programming Committees

5. Sessional Order B (Programming Committees) made by the House on 7th November 2000 shall not apply to proceedings in Committee of the whole House or on consideration and Third Reading.

Consideration of Lords Amendments and further messages from the Lords

6. Paragraphs (6) and (7) of Sessional Order A (varying and supplementing programme motions) made by the House on 7th November 2000 shall not apply to proceedings on any motion to vary or supplement this order for the purpose of allocating time to proceedings on consideration of any Lords amendments, or on any further messages from the Lords, and the question on any such motion shall be put forthwith.

Armed Forces Bill

As considered in the Select Committee, further considered.

[Relevant documents: The Special Report from the Select Committee on the Armed Forces Bill, Session 2000-01, HC 154-I and II.]

Clauses 1 to 5 ordered to stand part of the Bill.

Clause 6

SPECIAL PROVISIONS AS TO ACCESS

Question proposed, That the clause stand part of the Bill.

7 pm

Mr. Robert Key (Salisbury): Mr. Haselhurst, I should be grateful if the Minister—

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. Not quite.

Mr. Key: Sir Alan, I should be grateful if you would forgive my impertinence in failing to recognise your status. I should be even more grateful if the Government would clarify one point in clause 6. It concerns reservations expressed by the Newspaper Society and the National Union of Journalists, who have sought clarification of the implications of the clause.

The Bill contains special provisions for access to excluded material or special procedure material. In the Select Committee, the director general of service personnel policy, Mr. Miller, stated that the point of the clause was to introduce the same protection as applies in civilian law to such searches. The clause allows for provisions that will almost certainly be equivalent to those under the Police and Criminal Evidence Act 1984 to allow such material to be seized. Mr. Miller thought that this was not important, as it applied only to people covered by the service discipline Acts.

Since then, however, it has become clear that people covered by the service discipline Acts can include war correspondents and journalists accompanying UK forces into the theatres of operation. In the so-called Green Book, which contains the regulations for correspondents, annexe A, entitled "Working arrangements with the media in times of emergency, tension, conflict or war", states that accredited correspondents

"will be subject to service law while accompanying an operational force and while travelling to and from the operational area in service transport".

Journalists cannot be accredited, and therefore cannot enjoy the resulting privileged status, if they refuse to sign an undertaking to comply with the regulations. If they sign such an undertaking, I assume that that is a contract and that they come under the service discipline Acts. The Newspaper Society, in particular, is keen to discover whether, during the period that journalists accompany an operational force, premises used by an accredited correspondent as temporary living accommodation would constitute "relevant residential premises" under the Bill. That is an important point, which we hope the Government will clarify.

Given that members of the Ministry of Defence police have the powers and privileges of constables in any part of the United Kingdom in matters related to anything done under a contract entered into by the Secretary of State for Defence for the purposes of his Department or the Defence Council, it seems to us that in the case of a journalist under contract, the Ministry of Defence police will be able to enter "relevant residential premises".

The NUJ gave the Select Committee a great deal of evidence relating to notorious cases in which people's homes were raided, but the case against them was subsequently dropped. That is a matter of concern, and I should be grateful if the Minister would clarify the position.

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): As far as I am aware, the provisions will apply if service accommodation is involved. The clause provides for Ministry of Defence police to search service accommodation for certain materials. I should point out again that there are associated safeguards: the powers that are given will be used only in the investigation of alleged offences under the service discipline Acts. It is extremely unlikely that they would be used other than in the rarest of circumstances. As we explained earlier in the proceedings on the Bill, it does not seem right that service police should be debarred from this area of investigation, should the need arise.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

Clause 7

POWER OF COMMANDING OFFICER TO AUTHORISE ENTRY AND SEARCH OF CERTAIN PREMISES

Question proposed, That the clause stand part of the Bill.

Mr. Key: We now know that under clause 6, a Secretary of State can enable a service policeman—who is, of course, not a judicial officer—to obtain access to excluded material or special procedure material, and that that applies to "relevant residential premises", a phrase that the Minister has clarified.

Clause 6 states that "relevant residential premises" has the same meaning as in clause 5, where we find that it means "service living accommodation" or

"other premises occupied as a residence"—

which might be a hotel, for example—by

"a person who is subject to service law".

That would apply to a journalist who had signed the relevant agreement with the Ministry of Defence, or

"a person who is suspected of having committed while subject to service law an offence in relation to which the warrant is sought."

Clause 7 introduces a new circumstance. A journalist can come back to his own home, having finished his duties in theatre, and find that a service policeman within the chain of command from a commanding officer, without any kind of warrant and without judicial reference from a commanding officer, can enter a private home to remove journalistic material. The NUJ was extremely concerned about that, as it represents a substantial step forwards.

[Mr. Key]

It seems extraordinary that, entirely within the chain of command, an officer can instruct not just a service policeman, but a service man or woman who is not necessarily a policeman or woman, to enter someone's home after that person has finished time as a journalist or a media correspondent, if it is believed that those premises contain material that might be the property of the Ministry of Defence or, as I understand it, the intellectual property of the Ministry of Defence.

If there is a belief that the security of the state is being compromised in that way by a journalist, it would be right and proper for the MOD to take appropriate action. However, that bypasses the judicial process. The instructions are given not by a judicial officer within the chain of command, but by the commanding officer of a military unit. That concerns both the NUJ and the Newspaper Society, and I should be grateful if the Minister could reassure us.

Mr. Gerald Howarth *(Aldershot): Will the Minister* comment on one aspect of the clause, which relates also to clause 8? Clause 7(3) states that

"a person authorised under subsection (1) may seize and retain anything for which the search under this section was authorised."

The Minister will be aware of the case of Major Milos Stankovic, a former member of the Parachute Regiment who has now retired from the Army. He is not one of my constituents, but is represented by my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley). The Minister will know of the anxiety that exists about the seizure of documents and other items that have not yet been returned to Major Stankovic. I know that the Government intend that procedures on judicial matters concerning the armed forces should, as far as possible, reflect the arrangements that apply to civilian life. In the light of that intention, should not there be more specific provision to ensure that where no charges are brought against an individual, it is presumed that any possessions obtained from that person through the use of a search warrant must be returned?

I realise that we shall deal with clause 8 shortly, but I should point out that it contains related provision. Clause 8(2) states:

"In relation to review under this section"

—the review will be authorised by a senior officer—

"a judicial officer shall have such powers and duties as may be prescribed by the Secretary of State by order."

Bearing it in mind that we are discussing clause 7, will the Minister comment on the extent to which any orders made under clause 8 might deal with the case of Major Stankovic, which is also relevant to clause 7? Of course, he might not want to speak about an individual case, especially when it is that of Major Stankovic. It would be helpful if he did so, as the matter has been aired a number of times on the Floor of the House. If he cannot provide a further explanation now, however, will he at least address the underlying principle?

Dr. Moonie: The clause does not apply to excluded and special procedure material. Subsection (1)(a) applies only when the conditions specified in paragraphs (a) to (e) of clause 5(1) are satisfied. Clause 5(1)(d) imposes a condition ensuring that excluded and special procedure material is not relevant to the offence in question. I suspect that I should leave my reply to the hon. Gentleman's question about clause 8 until we consider that clause, to ensure that we follow the correct procedures. Finally, I can make no specific comments on the case of Major Stankovic.

Question put and agreed to.

Clause 7 ordered to stand part of the Bill.

Clause 8

REVIEW BY JUDICIAL OFFICER

Question proposed, That the clause stand part of the Bill.

Dr. Moonie: Sticking exactly to procedure, I shall now deal with the point made by the hon. Member for Aldershot (Mr. Howarth) about this clause.

Obviously, secondary powers have been taken to make regulations governing the powers and duties of judicial officers in respect of reviews. It is certainly our intention that the actions of commanding officers in respect of initiating such reviews should be subjected to a fairly rigorous test that is properly applied. That is why the judicial officer has a role in reviewing actions.

Mr. Gerald Howarth: Does the Bill continue the existing arrangements that are in place under the current quinquennial legislation, or does it set out a new procedure? I am seeking to establish whether there has been a change in procedures relating to the seizure of documents and possessions and to the return of such items to their owners.

7.15 pm

Dr. Moonie: The clause gives powers to the Ministry of Defence police to make searches in specific circumstances, but it does not affect existing powers. Clause 7 clarifies the action that can be taken by a commanding officer when a warrant cannot be obtained. In other words, that clause deals with circumstances in which it is urgent to ensure that the material that is sought is not spirited away. The new powers that are conferred on the MOD police are the subject of appropriate safeguards; indeed, I think that the Select Committee agreed on that. As I said, the provisions allow the Secretary of State to extend regulations governing the powers and duties of judicial officers in respect of the reviews. Currently, the powers of the service police are not set out in legislation.

Question put and agreed to.

Clause 8 ordered to stand part of the Bill.

The Chairman: With the leave of the Committee, we shall consider clauses 9 to 17 together.

Mr. Crispin Blunt (Reigate) *rose—*

The Chairman: Does the hon. Gentleman wish to comment on all the clauses, or on a particular one?

Mr. Blunt: Clause 15, Sir Alan.

The Chairman: With the leave of the Committee, we shall take clauses 9 to 14 together.

Clauses 9 to 14 ordered to stand part of the Bill.

Clause 15

MEANING OF "SERVICE LIVING ACCOMMODATION"

Question proposed, That the clause stand part of the Bill.

Mr. Blunt: Will the Under-Secretary explain how the statement made by the Ministry of Defence a couple of weeks ago about the future provision of single living accommodation for the armed forces will affect the application of the clause? As I understand it, the Ministry is introducing a programme to ensure that all single soldiers will have en suite facilities. Obviously, it will take a long time to provide such accommodation and the programme will be expensive to implement. Indeed, it will consume rather more than the extra resources that the MOD won in real terms from the Budget. Like others in the armed forces, I hope that it will go ahead, and I know that the Secretary of State has made it a priority, although it is one that is causing discomfort in other areas of the MOD budget and in respect of other programmes.

The explanatory notes appear to suggest that the programme will have an impact on the application of the clause, as the phrase "service living accommodation" appears to apply to shared areas. If all single soldiers in the armed forces are to have their own en suite facilities, will those facilities be analogous to the family accommodation that is dealt with elsewhere in the Bill? The explanatory notes refer to a distinction in respect of family accommodation. Should single service men expect to be subject to the clause when, in due course, they have proper accommodation? If so, how will it affect them?

Dr. Moonie: It is clause 16 that defines service living accommodation. Clause 15 refers to orders and regulations in general.

Mr. Blunt: No, it is clause 15.

Dr. Moonie: In that case, it is clear that the notes from which I am working are incorrect, and I apologise. I thought that it would be easier to work from notes than from the Bill itself.

The point of the provision is to ensure that a certain amount of private space is defined as personal, irrespective of whether a person is living in single or shared accommodation. The definition is intended to ensure even in communal accommodation that a certain amount of space is allocated as personal and can be searched only when a warrant has been obtained.

I think that during our debate on clause 8, I may have spoken about "MOD police". I am always making that mistake; I should have referred to the service police.

Mr. Mike Hancock (Portsmouth, South): Would a separate warrant be required to search the part of a billet shared with others that was specific to a member of the armed forces? If three other people shared the accommodation, would they be subject to the same search warrant? Will the Minister confirm that no one could interfere with their property under the aegis of the search warrant?

Dr. Moonie: That is correct. The warrant applies only to the person under investigation.

Mr. Hancock: To their property and space?

Dr. Moonie: Yes.

Mr. Blunt: As the programme for single service men to have their own accommodation is implemented, will a warrant be required for each service man's space? In future, everyone will have their own space. On land, although not at sea, few areas will therefore be defined as communal. The number of warrants that are required for individuals will therefore increase. Has the Department considered the implications for, for example, communal searches for drugs? Will the warrants have to name a large number of individuals?

Dr. Moonie: The warrant applies to space that can be searched, not to the person. Warrants will be specific and refer either to shared or single accommodation. As the hon. Gentleman suggested, it will take a long time to provide single accommodation for everyone. We hope to make a start shortly.

Mr. Hancock: I represent many service personnel, and it is important to be clear about the point. If three service men share accommodation and one is under suspicion and a warrant is obtained to search the premises, will it apply to the space occupied by all three, or simply to the part that belongs to the person who is under suspicion? If the former is the case, what protection is afforded to the other two occupants in such circumstances?

Dr. Moonie: So far as I am aware, the provision applies to the space of the person who is under investigation, and not to anyone else. Protection will exist to ensure that the rights of others are not infringed.

Question put and agreed to.

Clause 15 ordered to stand part of the Bill.

Clauses 16 and 17 ordered to stand part of the Bill.

Schedule 1 agreed to.

Clauses 18 and 19 ordered to stand part of the Bill.

Schedule 2 agreed to.

Clauses 20 to 22 ordered to stand part of the Bill.

Schedule 3

REQUIRED CUSTODIAL SENTENCES

Question proposed, That this schedule be the Third schedule to the Bill.

Mr. Harry Cohen (Leyton and Wanstead): The schedule deals with required custodial sentences from courts martial. The notion of custodial sentences without

[Mr. Harry Cohen]

jury trials and established civilian court standards is offensive. On Second Reading, I asked my hon. Friend the Minister for the Armed Forces:

"Why has my hon. Friend not had a more radical look at the court martial system, particularly for serious offences? What has he got against having the equivalent of a jury trial for those serious offences, moving away from other service men considering those cases?"

He replied:

"It is simply because I am not a radical sort of fellow."—[*Official Report*, 9 January 2001; Vol. 360, c. 898.]

Clearly, a radical review did not therefore take place. However, I believe that an overall review of the operation of the system would have been preferable to the attempts to tinker with it that the Bill proposes.

I tabled an amendment, which was not selected, to propose a committee of inquiry into the system. It suggested that civilian law standards and procedures and the Human Rights Act 1998 should form part of the inquiry. The Bill represents a missed opportunity on the court martial system. It tinkers with a fundamentally unjust system that is long past its sell-by date, and it does so without an overall perspective.

In peacetime, a defendant from the armed forces should have the same rights, including human rights, as a defendant in a civilian court. Such defendants should have a jury trial, an independent judge, the ability to choose a defence lawyer and a public hearing. That should apply especially when custodial sentences could be imposed. Trials for civilian offences should take place in a civilian, not a military, court. Other less serious matters should be subject to internal disciplinary rules and procedures, but not disciplinary courts with legal power. They should resemble employment tribunals.

In wartime, procedures should be subject to later civil review.

Mr. Hancock: I am not unsympathetic to the hon. Gentleman's point, but will he furnish us with evidence to show that many miscarriages of justice at tribunals or courts martial have occurred and that custodial sentences have been overturned at subsequent hearings?

Mr. Cohen: I am about to provide some evidence. When conducting research in the House of Commons Library, I found an article written by my hon. Friend the Member for Falkirk, West (Mr. Joyce) for the Fabian Review in March 1999, in which he said:

"This reminds me that I acted judge and jury at a Court Martial while writing the pamphlet"—

I shall refer to that shortly—

"and sentenced a young soldier to life for murder. He is now perhaps the only lifer in Britain who did not receive a trial by a jury of his peers. He should be the last."

That is evidence.

The Fabian Society pamphlet entitled "Arms and the Man—Renewing the armed services" was written earlier. It states:

"There can be no doubt that we need an in-house disciplinary structure; but we should now question whether it should have the force of civilian law. We should also question whether it is now appropriate that soldiers charged with very serious crimes in a peacetime context, for which a guilty verdict will lead to imprisonment in a civilian prison, should be routinely denied a jury of their peers."

Being "routinely denied" such a jury is unsatisfactory. People should not be sitting in jail without having a jury trial in serious cases.

Mr. Blunt: I have watched the operation of the civilian and military justice systems. Someone is far more likely to get a fair trial under the military than the civilian system. If the principle holds for a lesser offence, why should it not hold for the most serious offences? Is the hon. Gentleman suggesting that there was a miscarriage of justice in the example that he gave?

Mr. Cohen: I do not share the hon. Gentleman's view. Trial by a jury of peers for the most serious offences is a fundamental tenet of British civilian law. There is also an important human rights element. People might well take their cases to European Court of Human Rights and claim that their rights had been infringed by not receiving a jury trial. We shall see what happens in that respect.

7.30 pm

In the pamphlet that he wrote for the Fabians, my hon. Friend the Member for Falkirk, West talked about a legal time bomb. He was really referring to other matters, but this, too, could be a legal time bomb.

Mr. Hancock: It is important to note, when quoting a case such as the one that the hon. Gentleman has described of a service man who was tried for murder and found guilty under court martial procedures, that that service man could have been represented by civilian legal advisers, and probably was. We shall no doubt hear that that was the case. We also need to know why that case was tried under military law rather than under civilian law. Will the hon. Gentleman explain more of the background to the case?

Mr. Cohen: The basis of my argument is that cases involving serious offences should be tried under civil law and an independent judge. There are dangers in armed forces personnel trying such cases, even if they are not associated with the defendant's regiment. That is because they share a similar ethos with other commanding officers. It is important to have independent judges and public hearings. I know that most courts martial have public hearings, but they also have the ability to sit in camera. That could represent a serious abuse of a defendant's rights.

Mr. Blunt: I do not understand the distinction that the hon. Gentleman is drawing between serious offences and other offences. All offences in which a defendant comes before a justice system are likely to be serious if that defendant is likely to end up in prison. I am not sure, therefore, why the hon. Gentleman does not simply extend his argument to the whole of the courts martial system. Why should there be a particular cut-off point? Either the courts martial system is just or it is not. In my judgment, and that of the military as a whole, it is. The system is held in great respect, and we change it at our peril. Will he pursue that point?

Mr. Cohen: The cut-off point is when someone could go to jail for an offence. That is very serious. If it is

possible that someone could go to jail, they should have the right to a jury trial and a civilian hearing. If their alleged offence did not carry a jail sentence, it would be more akin to a disciplinary matter for an employment tribunal. That could then be dealt with under military law—not by disciplinary courts but by ordinary tribunals such as those used by employers generally.

Mr. Blunt: I want to be absolutely clear that the hon. Gentleman is saying that the whole of the military justice system should be ended. Even a commanding officer, under summary justice procedure, has the capacity—

The Chairman: Order. The hon. Gentleman convinces me that we are getting wildly off the point. The schedule is not about whether there should be courts martial, but about the sentences that should apply. I would appreciate it if hon. Members brought their remarks back to that rather narrower point.

Mr. Cohen: I chose to speak on this schedule because it is about required custodial sentences, and I do not think that the courts martial system is appropriate for cases that carry those sentences.

Mr. Gerald Howarth: Will the hon. Gentleman tell the Committee how many service men and service women are currently being held in custody under the schedule?

Mr. Cohen: Clearly the gentleman referred to in the article by my hon. Friend the Member for Falkirk, West is in jail. Perhaps it is right that he should be—it almost certainly is. However, he is in jail without having had a jury trial. That is a good question to ask the Minister: how many other people are in jail without having had a jury trial? That is the aspect of this matter that I find offensive.

The Government responded to the case of Findlay *v.* the United Kingdom, which was a European Court of Human Rights judgment delivered in the late 1990s. In 1990, Lance-Sergeant Findlay, a service man serving in Northern Ireland, ran amok with a loaded pistol, threatening to kill himself and others. At a court martial in November 1991, he was sentenced to two years' imprisonment, a reduction of rank and a dishonourable discharge. He appealed to the European Court, saying that various aspects of the court martial had been unfair, and that the subsequent sentencing reviews contravened article 6 of the European convention on human rights. He also stated that he had not been given a reason

"for the level of sentence, and that subsequent post-hearing review procedures were largely administrative . . . On 21 January 1997 the ECHR held that the British court-martial system did breach Article 6 on the basis that it lacked independence and impartiality. The judgment stated:

. . . the applicant's fears about the independence of the court martial should be regarded as objectively justified particularly in view of the nature and extent of the Convening Officer's roles, the composition of the court martial, and its ad hoc nature.

Regarding the impartiality of the court-martial the European Court declared that:

. . . the tribunal must be subjectively free from personal prejudice or bias, and must also be impartial from an objective viewpoint, that is, it must offer sufficient guarantees to exclude any legitimate doubt in this respect."

The European Court also found against the system in other respects. That was a case in which someone received a custodial sentence, which is what the schedule deals with. That was a damaging judgment, and this part of the Bill contains the Ministry of Defence's response. I think that it is a very unsatisfactory response. Basically, it proposes applying summary proceedings against officers, which is likely to prove unsatisfactory. It also proposes abolishing naval disciplinary courts—I think that all the disciplinary courts should go—and that warrant officers should be able to serve on court martial panels. However, those warrant officers would not be able to serve on cases in which the accused person was of a higher rank. That is ridiculous, and a reflection of the hierarchical, class-ridden nature of the armed forces. That is like saying that a worker cannot sit on a jury if the defendant is a manager.

The MOD's response also proposes that the Attorney-General can refer court martial decisions to an appeal court if he thinks that the sentence is unduly light. The Ministry claims that that is the same as in the present civil procedure. However, the big difference is that, in the present civil procedure, there would have been an original trial by jury before the sentence was passed. That would not be the case in a court martial.

The Ministry's response also included a proposal to exclude most court martial proceedings from the possibility of a judicial review. That is a denial of a legal right.

The Chairman: Order. The hon. Gentleman is trying to hang far more on this schedule than is possible within the rules of order. He is developing a more general argument that falls outside the provisions of the schedule, and I must ask him to desist.

Mr. Cohen: I will desist, but I was trying to save the House time by not speaking to all the different amendments.

I return to the central point of the schedule, which is that it involves custodial sentences. The final response of the Ministry was that courts martial should have the power to compel the production of evidence or attendance of witnesses. That means civilian, not military, people being subject to compulsion by a military court. That is out of order.

Sir Geoffrey Johnson Smith (Wealden): I know that the hon. Gentleman follows these matters carefully in the NATO Parliamentary Assembly. Will he explain how he proposes to make the process more democratic when the Army has differences of rank—or is that what the hon. Gentleman calls "class-ridden"? Is he proposing to abolish those differences as well?

Mr. Cohen: I am proposing that all people, including officers, who are brought into this arrangement and who might perhaps summarily have a custodial sentence passed on them, should have the right to a jury trial in a civilian court.

The response from the Ministry of Defence to the European Court judgment on Findlay *v.* the United Kingdom was feeble and defensive. It lost sight of the overall perspective. The whole courts martial system is flawed because it still does not accord with civil law in lots of respects or with civil proceedings, arrangements and standards. In peacetime, the armed forces should not have a separate court system and should not be able to

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send people to jail for serious offences without jury trial. In wartime, such arrangements should be subject to civil review.

Mr. Paul Keetch (Hereford): The hon. Gentleman refers to peacetime and wartime. Will he explain what he perceives to be the difference between peacetime and wartime jurisdictions and court trials?

Mr. Cohen: That is an obvious difference. In wartime, there is an emergency situation. People may be at the front and commanding officers have to make decisions about men who they think are in breach of the rules and regulations. That should be the case, but there should be a review in a calmer environment—for example, back in this country. There is no such emergency in peacetime, so the civilian courts could deal with those cases.

The Bill as it applies to courts martial is a shallow response to the ECHR judgment. The procedure was rushed through with little criticism being made and we are stuck with it for five years. We are not even doing the groundwork to have it changed when we consider the next Bill, but, meanwhile, we could face a legal time bomb and perhaps even compensation claims under that ECHR ruling.

I repeat my view of sensible reform: we should abolish the courts martial system in peacetime; all serious cases should go to a civil court and there should be a right to jury trial; there should be transparent and fair disciplinary procedures, not courts, in all other cases; and defendants should have the right to representation. In wartime, there should be a civil review after the event. That is my point of view, which I am happy to put to the Committee.

Mr. Hancock: I am mindful of your look across the Chamber, Sir Alan. I shall bear in mind the time available.

The hon. Member for Leyton and Wanstead (Mr. Cohen) made a case for considering over the next five years how courts martial operate and his final point was the most valid of all. He said that no groundwork is being done to address any injustices that occur. I have attended a number of courts martial in and around my constituency because my constituents have been involved, but also out of interest due to other involvements. I have seen them operate.

I also represent, like other hon. Members, a significant number of service personnel at all levels, but I have yet to hear one complain about the procedures adopted once the process has started. Many thought that the processes that led to arrest and laying charges were deficient—

The Chairman: Order. The hon. Gentleman is picking up the broadest of the points made by the hon. Member for Leyton and Wanstead (Mr. Cohen), which I suggested he should not make. I allowed some latitude, because he claimed that he was stringing together one or two different points that went wide of the schedule. I understand that he did that for the convenience of the Committee, but I cannot offer the same tolerance to other Members to enable them to pursue the debate on such broad terms.

Mr. Hancock: I shall do my utmost to focus my comments on the matter before us.

There is no compelling evidence to show that the system that we are considering is a bad one, although changes will need to be made over time. The review of armed forces discipline as a whole will mature over the next three or four years and we must take into account how European legislation will interact with it, so the next time that the House discusses the issue, significant changes will undoubtedly be made to the way that the system works. I do not believe that courts martial offer a disservice to armed forces personnel, especially when custodial sentences arise from their decisions, because all defendants have the right of appeal and the right to have outside legal opinion on their side if they so choose.

7.45 pm

Mr. Blunt: I shall abide by your injunction, Sir Alan, and refer to the detail of the schedule.

To pick up the points made by the hon. Member for Leyton and Wanstead (Mr. Cohen), he omitted to mention a matter that is pertinent to considerations under section 70 of the Army Act 1955. Section 70 takes the Act into civil procedure and, of course, there is an appeal mechanism that ends, effectively, at the Courts-Martial Appeal Court and then the House of Lords. I share the views of the hon. Member for Portsmouth, South (Mr. Hancock) and, whatever the mechanism about which the hon. Member for Leyton and Wanstead is concerned, the system is safe and just and there is an appeal route.

Although the hon. Gentleman's arguments about the wider courts martial system are perfectly reasonable in terms of other European countries, the schedule should be accepted as it stands. As he suggests, the situation that he described pretty much applies in Germany, where all such offenders who commit civil offences are dealt with under the civil law, not a provision similar to the 1955 Act or the schedule.

The schedule should stand part of the Bill precisely because of the operational experience of the British Army and the inability to differentiate between peace and war, which was displayed by the hon. Gentleman and which shows why our system is robust. I draw the Committee's attention to the example that he and the right hon. Member for Walsall, South (Mr. George), the Chairman of the Defence Committee, witnessed during a Defence Committee visit to Kosovo in November 1999.

The right hon. Gentleman may recall the circumstances in which soldiers from a British unit serving in Kosovo some six months after the occupation by NATO forces conducted what appeared, on the face of it, to be the robbery of a store in Pristina. We do not know what happened subsequently under the justice system, but they had apparently committed a serious offence. Is the hon. Member for Leyton and Wanstead seriously suggesting that we should have set up a civil trial in the United Kingdom and flown the jury and everyone else out there so that they could see the premises? Should we have had proceedings to-ing and fro-ing between the UK and Kosovo? That would have been wholly inappropriate in such circumstances and the example shows that there is no neat dividing line between peace and war for our armed forces. That is why we need the schedule.

Dr. Moonie: We think about the courts martial system very carefully whenever such Bills are considered and at other times. We are well aware that the system that we

apply to our armed forces is different from that which we apply to the civilian population, but I happen to believe that it is pretty fair and that the safeguards that we built into the Bill last year have made it still fairer. That, surely, is the object of the exercise. The truth should be discovered and discovered in a fair way. Although I fully appreciate the emotional and intellectual attachment of my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) to the jury system, I cannot say that I particularly share it. The system has served us well for many years. Other systems serve other countries equally well, or, some might argue, better.

I want to make some specific points about courts martial. They are held in public and are therefore open to public scrutiny. Defendants choose their own lawyers. An appeal against court martial findings can be made to the Courts-Martial Appeal Court, which is made up of civilian judges. With regard to overseas offences, certain very serious offences committed in the United Kingdom, such as murder and rape, must be tried by a civil court, but that court cannot deal with offences committed abroad.

One purpose of trying very serious offences committed abroad by means of court martial is to safeguard service personnel from local law, which may not be governed by the European convention. Sierra Leone provides an example of that. The schedule would bring all disciplinary offences and trials within the provisions of the convention.

We take many considerations into account in drawing up proposals to be included in armed forces Bills. As I have said, we certainly take account of the scope for bringing court martial procedures more into line with the corresponding procedures in civil courts, without affecting the principles that apply. In this Bill, for example, we have allowed for the possibility of review of unduly lenient sentences, for costs orders, and for the possibility of bail following appeal.

We propose those changes because they will benefit the operation of the system, and make it fairer. They have not been dreamt up in isolation; they reflect provisions that already operate in the civilian system. This is part of a long-standing policy of keeping in step with the civilian criminal justice arrangements, where it is sensible and practical to do so.

Mr. Key: During his time in the Ministry of Defence, has the Minister had time to attend a court martial?

Dr. Moonie: No, the Minister has not, although I have been able to review the written proceedings of several. It would be quite a pleasant way of spending an afternoon—it would certainly be informative—but so far I have not had the time.

As for the Human Rights Act 1998, we have made many changes. We have brought procedures into line with the European convention on human rights. We have removed any apparent influence of the chain of command over the administration and conduct of courts martial. The European Court of Human Rights has recognised our actions, and, in the judgment on the Findlay case, noted the changes that we have made with satisfaction, saying that the United Kingdom authorities had made changes to the court martial system with a view to ensuring the observance of their convention commitments.

The Bill itself has been certified by my right hon. Friend the Secretary of State, on the basis of legal advice, as being compatible with convention rights. That means not just that specific proposals in the Bill are compatible, but that the three service discipline Acts that will remain in force under it are as well. Ensuring that that happens has meant checking that all our procedures are compatible with the convention. Most of them already were: after all, we signed the convention nearly 50 years ago.

We are not complacent; we are always prepared to review legislation. I think that my hon. Friend the Member for Leyton and Wanstead would be very surprised if I said that I agreed with the principle that he is trying to apply, but I certainly agree with his aim, which is to make the system as compatible as possible with the civil disciplinary system, and as fair, open and transparent as possible.

Mr. Gerald Howarth: The Government may think that the Bill is compatible with the European convention on human rights, but I wonder whether it has been subjected to scrutiny in connection with the charter of fundamental rights signed by the Government in Nice.

Dr. Moonie: I do not think that that was necessary. The Bill complies with the law as we have to observe it, and it will be a better Act as a result.

Question put and agreed to.

Schedule 3 agreed to.

Clauses 23 to 26 ordered to stand part of the Bill.

Clause 27

COSTS AGAINST LEGAL REPRESENTATIVES ETC.

Question proposed, That the clause stand part of the Bill.

Mr. Key: Clause 27 deals with costs awarded against legal representatives. It provides that, in any proceedings, one of the courts listed may disallow, or order the legal or other representative to meet, the whole of any wasted costs. It defines "wasted costs" as costs incurred by a party

"as a result of any improper, unreasonable or negligent act or omission on the part of any representative or any employee of a representative".

This is a serious issue. It is hard enough for those of us who are not lawyers to cope with detailed legislation of this kind in any event. The Select Committee considering the Bill received some interesting evidence in the form of a memorandum from Professor G. R. Rubin, who, in commenting on changes in military law, pointed out that some would argue that there was an obscure or hidden military law agenda.

That is why I am interested in a discussion of sins of omission in relation to clause 27. Such sins may be committed by military documents, such as the various provost manuals, which have a restricted classification. They prescribe, among other things, legal procedures for the exercise of constabulary power, or whether the Army Commissioning Regulations 1999—which derive from royal prerogative, as does much military law—should continue to be classified.

That was an interesting proposition, which led me to table a parliamentary question on 2 February asking the Secretary of State to place in the Library copies of the documents listed by Professor Rubin—the unit folder

[Mr. Key]

entitled "Military Custody and Summary Dealing System", the provost manuals, the Army Commissioning Regulations 1999, the military secretary's guide to officers' confidential reports, Army form AF B9926 and the Army general and administrative instructions, volume 5, instruction No. 6.

That seemed quite reasonable, and I had a very reasonable reply from the Minister for the Armed Forces, who said that copies would be placed in the Library.

When the Select Committee heard evidence from the Secretary of State on 7 March, I raised the matter with him. I pointed out that by that date, more than a month after the tabling of my question, the Library had three times requested the parliamentary branch of the Ministry of Defence to put the papers in the House, and that three times the request had been refused. The Secretary of State replied to my question—it is question 1131, on page 165 of the Select Committee report—by saying, "I will." I said, "Thank you."

In anticipation of tonight's proceedings, I returned to the Library. I asked what had happened to the manuals. On 28 March, I received a letter from the Library that told me:

"I contacted the Parliamentary Clerk's office today and the official told me that these documents are classified. There will therefore be a delay of at least a couple of weeks while versions are approved for placing in the Library. As soon as we receive the manuals, we will contact you again. I hope that this is helpful."

It was very helpful indeed, and I am grateful to the Library; but what a palaver. The Minister of State says yes. The parliamentary branch countermands that, and says that the documents are classified. The Secretary of State then says yes, and nothing happens, except that the Library is again refused permission.

Someone should get a grip of the Ministry of Defence. I hope that the Under-Secretary of State will be able to achieve more than either the Minister of State or the Secretary of State, and I should be grateful if he would do so now.

Mr. Blunt: It appears from clause 27(3)(b) that the regulations made by the Secretary of State under clause 26 can be made against prosecuting officers

"appointed under section 83C of either of the 1955 Acts or under section 52J of the 1957 Act".

Having seen the Army legal corps in action, I feel that the clause might prove rather expensive for the MOD. In my experience, the corps contained many inexperienced lawyers who were chucked in at the deep end. While acting as an assistant prosecuting officer, I sat alongside one when he was a prosecuting officer, and I am slightly worried that the conduct of the young captain beside me might have led me, as well as the prosecuting officer, to collect a bill under this legislation.

The prosecution was perfectly well prepared by the regiment, and the case seemed clear-cut, as it related to someone stealing a fellow soldier's bank card—he knew the number—and emptying his account on five separate occasions, but it was conducted so badly by the prosecuting officer that, halfway through the proceedings, the defence moved no case to answer, whereupon the young captain conducting the case for the Army legal corps burst into tears and had to be taken away to another room, with a rather aggressive judge advocate taking part.

8 pm

In such circumstances, with the case collapsing because of the incompetence of the prosecuting officer—in my experience, regrettably, not an uncommon occurrence—the defence could very properly have moved for costs. Regardless of whether the defence is funded privately or through legal aid, the prosecution could surely be liable for costs under this part of the Bill.

If the prosecution is found liable for costs, will a bill from the Ministry Defence, which funds the prosecution, go to the legal aid budget and/or the individual? What is the position of the poor, hapless officer at regimental duty, who is not a lawyer—this is what happened to me—but is the assistant prosecuting officer?

Mr. Hancock: If prosecution cases are not prepared properly and the officer presenting the case is incompetent, surely there should be redress and the defendant should be able to claim costs. That will surely prove an advantage to the court martial system, because people will have to be better prepared, and better able to conduct themselves, in future.

Mr. Blunt: I agree. It is perfectly proper to expect the Army legal corps and other armed forces legal services to operate to a proper standard, but they often have difficulty in recruiting lawyers of sufficient ability to make the system fly. The system is skewed in favour of the defence because of service lawyers' limited resources. At least, that was true in my time—I am prepared to accept that things may have changed in the past dozen years. Have the consequences in terms of the cost to the Ministry been thought about? Will the Ministry have to pay the legal aid fund, or individuals funding their own defence, out of MOD funds, as it properly should do?

Mr. Hancock: I see nothing wrong with what is being proposed. If the Ministry of Defence ends up having to pay a large sum because of the incompetence of prosecutions, so be it. That is one reason why it should get its legal services in good order. When evidence was given to the Defence Committee, of which I am proud to be a member, several questions were asked about the calibre of lawyers recruited to the armed forces and we were assured that it was no longer a problem, that young lawyers who wanted a future in the military were being recruited in sufficient numbers and that senior officers were content that they were in the process of developing sufficiently robust legal services.

We were told that proper advice would be given to commanding officers about how courts martial or other hearings should be conducted. I am sure that that confidence was based on sound information. We were assured that sufficient resources would be put into armed forces legal services. Unless the Minister is not prepared to repeat those undertakings, I see nothing wrong with the clause, but it is a bit rich for the Ministry of Defence to suggest that it has a backstop on the compensation that will be paid if we get it wrong. It should clearly start from the premise that it is not going to prosecute anyone unless there is a good chance of success and it is totally confident that the prosecution team is sufficiently robust to present the case properly. Whether the defence is up to the job is another matter.

Dr. Moonie: On the point made by the hon. Member for Salisbury (Mr. Key), I have no idea what is holding matters up, but I will ensure that the logjam is broken as quickly as possible.

The hon. Member for Reigate (Mr. Blunt) should accept that the Army legal services have improved considerably since his day. They provide a high standard of service. The Army prosecuting authority, which has been set up since his time, has further increased the competence with which prosecutions are conducted.

It may seem anomalous to award costs if service officers are conducting both prosecution and defence, but the point is that that is not always the case, and in order to be equitable, whichever side causes an irresponsible increase in costs should be liable for it. That is perfectly proper. The hon. Gentleman can rest assured that his point about funding is accepted.

Question put and agreed to.

Clause 27 ordered to stand part of the Bill.

Clauses 28 and 29 ordered to stand part of the Bill.

Schedule 4 agreed to.

Clause 30 ordered to stand part of the Bill.

Clause 31

EXTENSION OF JURISDICTION

Mr. Key: I beg to move amendment No. 2, in clause 31, page 32, line 11, after "operation", insert—

'except in matters relating to a serious crime or police raid;'.

The First Deputy Chairman of Ways and Means (Mrs. Sylvia Heal): With this it will be convenient to discuss amendment No. 3, in page 32, line 20, after "operation", insert—

'except in matters relating to a serious crime or police raid:'.

Mr. Key: I had better start by explaining what I mean by "serious". The matter is defined in the Supreme Court Act 1981, as amended by a practice direction from the High Court. I mean classes 1 and 2 out of the standard four classes. Class 1 offences are misprision of treason and treason felony; murder; genocide; torture, hostage taking and offences under the War Crimes Act 1991; an offence under the Official Secrets Acts; and soliciting, incitement, attempt or conspiracy to commit any of those offences. Class 2 offences are manslaughter; infanticide; child destruction; abortion; rape; sexual intercourse with a girl under 13; incest with a girl under 13; sedition; an offence under section 1 of the Geneva Conventions Act 1957; mutiny; piracy, and soliciting, incitement, attempt or conspiracy to commit any of the above offences. That is what I mean by "serious".

I am a survivor of the Ministry of Defence Police Act 1987. As we progressed through that Bill, Ministers of the day made it clear that the Ministry of Defence police force was, on that occasion, being given proper constabulary powers. It was being given a clarity of jurisdiction, with which we all agreed. The then Minister, my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton), repeatedly pointed out that the sort of crimes that would be handled by the Ministry of Defence police would be of a minor nature. They would certainly not be serious crimes of the sort that I have described. Furthermore, they might be investigated by the Ministry of Defence police by arrangement with the Home Office constabulary concerned. It would only be at the invitation of those Home Office police forces that the Ministry of Defence police would handle such crimes.

It was never envisaged that the Ministry of Defence police would suffer the mission creep, as the National Union of Journalists and others have called it, that we have seen. That is in no way to denigrate the Ministry of Defence police, whom I do not think have had a fair deal over the past 15 years or more. They are a very distinguished and ancient police force, going back to the time of Samuel Pepys. This House has gradually increased the force's powers but every now and again it gets a bit out of kilter and the House addresses the issue once again. That is why we see these clauses tacked on to the Armed Forces Bill. This is quite a modest Armed Forces Bill compared with the last piece of legislation, which was a veritable Christmas tree of differing and widely disparate issues. Nevertheless, these clauses have been tacked on.

In the Select Committee, we challenged the Ministers, the chief constable and the deputy chief constables about what had happened since that nice, simple time in 1987 when everything had seemed so clear. On question 765 on 6 February, Mr. Comben, the deputy chief constable, was asked by my hon. Friend the Member for Uxbridge (Mr. Randall):

"You would agree presumably that, when it was first set up, it was envisaged that the MDP would be for minor offences?"

Mr. Comben, to paraphrase him, said yes. He said later:

"In a microcosm, that is what has happened to the MDP. It has got more experience; it has become more effective; it has more technical equipment and it can now investigate a range of offences that it could not have done in the early days prior to 1987. That has happened in all policing, and thank goodness it has."

That is fine, but once again the Ministry of Defence police have got ahead of themselves. That is why I will be arguing that it may have been inappropriate for these clauses to be tagged on to this Bill.

The outgoing chief constable said in his address to the Defence Police Federation national conference at the end of last year that it was all well and good having this recognition, but that it counted for absolutely nothing if the police force was not recognised by the customer. He said that those officers must be seen to be delivering a top quality service, no matter what that service might be. He referred to a number of CID cases. He reported that the CID of the MDP had investigated 30 rape cases—the previous year the figure had been 16.

We heard a lot of evidence in the course of the special Select Committee, not just about rape but murder. There was genuine concern among the Home Office constabulary forces, and genuine worry on the part of the Police Federation of Home Office constabularies at this mission creep.

There was a stark difference in the evidence of the deputy chief constable of the Association of Chief Police Officers in Scotland who addressed us and the chief constable of Suffolk who addressed us on behalf of the Association of Chief Police Officers of England, Wales and Northern Ireland. That struck members of the special Select Committee quite forcefully.

8.15 pm

I am trying to clarify, by these amendments, just how far we think that the Ministry of Defence police should be going. It matters to the clients and the public that they know what a Ministry of Defence policeman is. He is in a police uniform; we have been reassured that he or she has superb training, and there is no doubt that they have to meet the same targets as the Home Office police. However, it is important that as the Ministry of Defence police evolve—for evolve they will—we should be clear about what they are seeking to do.

From the Bill's Second Reading onwards, we have been assured that the Ministry of Defence police will operate outside the wire only in a way that will be approved by the chief constable of the local Home Office constabulary. I say "approved by" because that might happen in two ways. It can happen either by the invitation of the chief constable or because of a standing agreement at a high level—a phrase that has been often used during the Bill's passage—between the Ministry of Defence police chief constable and the chief constable of the local force. We will come back to those protocols later.

It is very important to clarify what is meant. That is why these straightforward amendments would insert the words:

"except in matters relating to a serious crime or police raid".

In that way, everybody knows exactly what is happening. I hope that the Minister will be able to respond positively and reassure us that this is not happening simply by accident but that there is a deliberate policy behind it.

Mr. Keetch: This is the crux of the Bill. As the hon. Member for Salisbury (Mr. Key) has said, the special Select Committee spent a great deal of time discussing it. I am delighted to see the Chairman and other members of the Select Committee here tonight.

The concern that we have expressed on a number of occasions is that there has been, as the hon. Member for Salisbury said, a degree of mission creep in what the MDP have been doing. We have heard conclusive evidence from journalists, from Tony Geraghty and Gill Linscott, of previous actions that the MDP have already undertaken. We have heard of concern about the MDP's existing powers. Therefore, if we are to accept that there should be an extension of the MDP's jurisdiction, the House should be absolutely sure that the limitations placed upon it are right.

I support what the hon. Member for Salisbury said about the crimes that the MDP will be investigating. In our Committee, the Minister made it clear that he did not believe that the MDP should investigate murder, rape, attempted murder, attempted rape, and so on. He believed that there should be a way in which such offences should automatically be offered to the local county constabulary for it to investigate. I should be interested to hear whether he says that now and how he suggests that that should be done.

I should also be interested to hear the Minister's comments on the report of the Armed Forces Bill Committee. We said:

"We believe that there is a case for giving MDP officers greater powers".

We must remember that these officers are dressed like civilian police. If they are going about their duty and they see a crime being committed, of course they should intervene and come to the support of the civil powers. They will also want to be involved in assisting at floods and other such incidents. However, we were right to say in the Committee:

"we would be completely opposed to the MDP actively seeking to increase its involvement in general policing duties which are the proper responsibility of local police forces."

There has been a consistent train of thought, throughout the evidence that was taken, that the MDP are seeking to extend their powers because they want to justify their existence. Indeed, when we were in Cyprus, members of the joint Cyprus military police force voiced their concern that the MDP somehow wanted to extend their powers on to their turf. This is the key point of the Bill.

Mr. Hancock: I am sure that the whole House is interested to hear that there is a turf war between MOD police and other police forces. However, that is not the important point. My hon. Friend suggests that the Select Committee that considered the Bill wanted to give more powers to the MOD police, but he did not say what those powers are. Most of the powers that he mentioned are already available to them. I should like to know what powers he would like to give them.

Mr. Keetch: The Committee did not suggest that the MDP should be given more powers. However, I am sure that my hon. Friend has read our report and that he will be aware not only of our concerns about their current powers, but of the way in which they should be held to account—although I am sure that we shall deal with that matter later. In this debate, however, the Minister must tell the House which MDP powers will be extended by the Bill. Additionally, which crimes that the MDP may want to investigate will be transferred to local police forces? As the hon. Member for Salisbury rightly said, those issues are the crux of the Bill.

Mr. Bruce George (Walsall, South): My colleague the hon. Member for Salisbury (Mr. Key) mentioned that he could be considered as an old-timer because he served on the Committee that considered the Ministry of Defence Police Act 1987. I also served on that Committee, but it is a long time since that Committee reported and the law was subsequently changed. I think that it would be ludicrous to say that legislation that the House passed in 1987 has to be operational today.

I have a good connection—not a financial one—with the Ministry of Defence police, and I have an even closer connection—again, not a financial one—with the Defence Police Federation. I first took an interest in the MOD police when, quite accidentally, the Defence Committee ambushed the MOD and the MOD police in an inquiry that we conducted on physical security at military installations. I have followed the MOD police ever since.

In that time, I have seen much criticism of the MOD police, ranging from genuine criticism to truly paranoid comments. A tendency to make the latter type of comment is very strong in the media. Quite naturally, anyone whose collar has been held by an MOD policeman—and there are quite a few such people—feels very irritated by the MOD police, especially if, as in Tony Geraghty's case, they did not proceed with the matter.

There is nothing unique about a police force messing up big time or small time. I come from the west midlands, where, historically, our police force has failed to arrest

the right people. Regrettably, in the past, it has also had a reputation for being less than scrupulous in adhering to the law of the land and the principles of policing. However, although our police force has faced enormous criticism for screwing up cases, no one has said that its powers should be changed. In the 1970s, and post-Lawrence, the Metropolitan police have also been thought to have failed in many ways. However, no one is suggesting that their powers should be curtailed to punish them for those failures.

As I said, some people are paranoid in addressing the issue. Conversely, some people want to chip away at the margins of the issue. My good friend the hon. Member for Salisbury falls into the latter camp. He is not quite certain; he is influenced equally by the MOD police who abound in his constituency and by the Home Department police forces. His situation is symbolised by the regimental cap badge showing that the regiment faces both ways. I cannot remember which regiment that is—

Mr. Blunt: It is the Gloucesters.

Mr. George: Yes. I think that the Gloucesters should give the hon. Member for Salisbury one of their cap badges and make him an honorary member.

The MOD police have evolved. When the Committee conducted its inquiry into the matter 13 years ago, and when I did the same 20 years ago, it had not been long since the MOD police had had to deal with the 1971 reforms, and some of the MOD-plod image remained. However, very unfairly, that image has persisted. The MOD police officers are a very professional force. ACPO and individual coppers are very ambivalent towards them, and hon. Members are ambivalent or hostile towards them. The media are either very unhappy or very angry with them. All that undermines the efficacy of the MOD police.

I think that the time has come to expand the MOD police's range of powers. However, I was not a member of the Select Committee considering the Bill—although, unlike the hon. Member for Reigate (Mr. Blunt), I was not kept off the Committee. It seems to me that the Opposition kept him off that Committee. The Government did not keep me off the Committee; I did not volunteer to serve on it. However, I gave evidence to it, partly because Committee members had forgiven me for being so obstreperous to them a few weeks earlier.

I also certainly did not get rid of the hon. Member for Reigate from the Defence Committee. I think that that was a decision by the Opposition rather than by my Committee. Therefore, I do not want him to become paranoid. He is not a member of the Defence Committee, but is considering very important issues such as canals, walking in cities and cemeteries. I am sure, however, that he likes that much less than serving on the Defence Committee.

Mr. Blunt: I was replaced on the Defence Committee by my hon. Friend the Member for Gosport (Mr. Viggers), who is extremely experienced on these matters, and I am sure that the Committee has done extremely well, in my absence, with his assistance. I fear that the right hon. Member for Walsall, South (Mr. George) has forgotten that, during the Second Reading debate on this Bill, I asked him to sign my manuscript amendment nominating me to the Standing Committee considering the Bill. As the Government had nominated two Ministers and a Whip to the Committee, the Opposition nominated two shadow Ministers and a Whip, leaving no place for an Opposition Back Bencher on the Committee.

Mr. George: As I had caused havoc by moving my own manuscript amendment, I was not in a strong position to endorse someone else's.

The Bill seeks slightly to extend the powers of the MOD police. The change is not earth-shattering, but recognises the changes in the professionalism of the MOD police and the environment in which they work. Their numbers have declined and they are now more mobile. They do less static guarding. The world of policing also has changed around them—with greater involvement by the private security industry, the MOD guard service, the military provost guard service and the growth of List "X" companies.

The MOD police have also undergone the changes occasioned by the 1987 Act. Additionally, there is a new range of threats to counter, including fraud, terrorism and environmental offences. They are now also a police agency. I think that the time has come for them to have a modest increase in their powers.

In 13 years from now—the hon. Member for Salisbury may still an hon. Member, but I doubt that I shall be—the House may seek further to extend the MOD police's powers. However, hon. Members cannot have it both ways. They cannot quietly say, "The MOD police are still MOD plods. They are not really up to the competence of some of the mainstream police forces", while criticising fairly modest proposals to increase their powers. Such criticisms are voiced despite the fact that they are attempting to become more professional and help out Home Department police forces in certain circumstances. Committee members were given sufficient evidence to justify why the MOD police deserve to have a marginal increase in their powers.

8.30 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): I had no intention of intervening during this debate, but as one of my constituents is currently dying of cancer because the Ministry of Defence police grossly exceeded their powers—and have admitted doing so—when they raided his office and, in effect, by their act rendered him bankrupt, I feel rather dismayed. The name of my constituent is Mr. Crawley of Chesswood Floors.

Mr. George: I am desperately sorry. However, just because there is a posse of murderers in south London and the Metropolitan police did not use their powers and were proved to be incompetent, that does not mean that we get really angry with them. We cannot isolate a few cases and say that just because people fouled up in those, they should be penalised by being stuck with the powers that they had in 1987.

The world is changing. The world of policing is changing. If the Defence Committee had survived for another 12 months, we should have conducted a major inquiry into policing and security in the Ministry of Defence to show those aspects that should and should not interlock, and where powers, competence and training should evolve further.

[Mr. George]

In conclusion, the MOD police have definitely improved. They want a little more encouragement. Hon. Members shuffle around and issue statements on the one hand proclaiming how much they adore the MOD police while on the other saying, in effect, that they are not up to handling the rather limited changes to their powers that any reasonable person should support. Those hon. Members are saying to the MOD police, in effect, "You're not up to it. You should be stuck with the powers you had in 1987. You should not have evolved. You're a second-class police force. You are not a professional police force and you should stay that way."

That would send the wrong message. I hope that the Minister will send members of the MOD police in Salisbury, Wiltshire and Herefordshire copies of the speeches and check whether they had consulted hon. Members as to whether those powers should remain ossified or should evolve.

Mr. Blunt: I am tempted to follow the right hon. Member for Walsall, South (Mr. George) down the track on the merits of the MOD police in toto, but that course might be better left until the debate on clause stand part. I am grateful to you, Mrs. Heal, for your indication in that respect. I shall address myself to amendments Nos. 2 and 3 and will try to catch your eye during clause stand part to deal with some of his points.

To put the matter in perspective, I share some of the concerns expressed about the MOD police. However, I note that the amendment tabled by my hon. Friends provides that the MOD police can go to the assistance of other police forces

"except in matters relating to a serious crime or police raid."

I do not share the concerns of my hon. Friends on that matter because if such an action takes place at the request of another police force, which wants the assistance of the MOD police, something as specific as a police raid is exactly when the MOD police might be required to supply numbers, under the direction of the other police force.

When my hon. Friend the Member for Salisbury (Mr. Key) replies to the debate, I should be grateful if he could explain that point. Perhaps I have misunderstood the effect of the amendments. Although I have concerns about the MOD police, it seems to me that the effect of the amendments would be that the MOD police could not operate at the request of other forces—presumably under their direction. I look forward to the remarks of my hon. Friend and the Minister.

Mr. Hancock: The Armed Forces Bill Committee report contains some interesting comments. Paragraph 39 refers to the extension of powers when the MOD police

"are attempting to deal with emergency situations which they come across in fulfilling their normal duties. However, we would be completely opposed to the MDP actively seeking to increase its involvement in general policing duties which are the proper responsibility of local police forces."

There is a slight contradiction; the Bill's explanatory notes point out that MOD officers now have greater contact with the public than before. They are far more mobile and may run into various incidents on the way to and from different establishments.

In the greater Portsmouth area, between a dozen and 20 establishments are serviced by the MOD police either full time or in a visiting capacity by a mobile unit. Those police officers move extensively around our part of south Hampshire. For example, Whale island, which has an MOD police presence, is close to the ferry port. In the past, several legal, peaceful demonstrations against the transport and export of live animals through our ferry port have entailed the involvement of the civil police, and occasionally the roads in and around the ferry port, including the access road to Whale island, have been blocked. Perhaps the extension would mean that the MOD police would have the right to be involved in such demonstrations, but they are very difficult matters for them to become involved in.

Likewise, MOD police moving from one establishment in the south of Portsmouth to another at the eastern end of Portsmouth would travel along the seafront. On Friday or Saturday nights, it would not be uncommon to see several police vehicles parked opposite South Parade pier in Portsmouth, and probably at least one patrol wagon from the naval provost. If a significant incident were to occur outside one of the clubs on another part of the seafront while an MOD police patrol was passing, the MOD police might deem it their responsibility to intervene and stop a fight or an affray.

I should be interested to know whether the Minister thinks that the extension would give the MOD police the right to take part in preventing such a disturbance from gathering strength, and whether they would have proper protection under the law and in their job descriptions to allow them to act as policemen. Is it not important that, where a heavy concentration of MOD police is found, the civilian population should be made fully aware of what the extension of MOD police rights involves? For example, people should know when MOD policemen have the right to follow them to their homes and to take action inside or outside their homes, once having seen them commit an offence.

I am full of admiration for the MOD police. I was particularly inspired by their conduct when a young MOD constable at the main gate of Portsmouth dockyard made a very senior Royal Marine general very angry by making him comply with the regulations in operation for other staff going in and out of the naval base. The MOD police stuck to their line, and I am glad that they were supported, but that very disgruntled senior general in the Royal Marines retired from the service, for ever carrying a grudge against the MOD police. Anyone who wants to insist that a general toe the same line as everyone else has my support, and their willingness to stand in the front line and regularly confront such situations involves a pretty worthwhile job—ensuring that rank carries no sway with the police.

As the right hon. Member for Walsall, South (Mr. George) said, the MOD police have been heavily criticised in the past, sometimes cynically and for motives not wholly germane to the argument being pursued at the time. I should like to think that the House will be fair to the MOD police. I am not against their powers being extended, but what those extensions involve, when they can be brought into operation, and what rights the civilian population have if they are confronted by an MOD policemen, alone or with another officer, must all be made clear. It will be no good if the powers are extended but the bulk of the civilian population are totally ignorant of their rights.

Few people who speed on the motorways in and around south Hampshire would slow down when they saw an MOD police car behind them. The implication is that the MOD police might think it their duty to pull those people over and at least caution them, but will they have the power to do so? When did the Select Committee think that the emergency would arise in which the MOD police could exercise their powers along the same lines as the civilian police? I can guess what those circumstances might be, but I should be interested if the Minister or the Chairman of the Select Committee explained what the Committee was thinking when it included that in its report.

I hope nevertheless that the House will support the line pursued in the Bill and extend the powers of the MOD police.

Mr. Gerald Howarth: I rise to support much of what the hon. Member for Portsmouth, South (Mr. Hancock) said. In quoting the Committee's conclusions, he probably reflected what the bulk of the population feel about the relationship between the MOD police and our own Home Office and county constabularies. Clearly, if MOD police officers come across an incident while travelling between bases, it is entirely proper that they should be able to assist other police officers in trying to prevent crime. None of us would object to that.

There is concern that what the clause proposes is, to a large extent, open-ended. My hon. Friends have sought to table amendments to seek some limitation on the role of the MOD police. The public would not accept the MOD police being increasingly brought in, as a matter of routine, to support Home Office police forces, which we know are overstretched; numbers are down by 2,500 since the Conservatives left office in 1997. We are concerned that local constabularies might be encouraged to resort to MOD police forces to make up for their lack of numbers.

The evidence taken on 6 February by the Committee included a letter from the chairman of the Association of Chief Police Officers general policing committee to the police resource unit of the Home Office. It said:

"We have some sympathy with their officers who come across serious incidents and we believe that they should be acting as constables when they choose to get involved in dealing with such incidents. We would point out, however, that many more mobile patrols seem to be undertaken by the MDP officers and in doing so we would be determined to make sure that the officers were not leaving their bases and patrolling in order to find incidents to attend."

In other words, there was concern that officers should not seek to exercise their newly confirmed responsibilities and powers by seeking out incidents beyond the wire and outside the base where their principal responsibility lies.

My hon. Friend the Member for Salisbury (Mr. Key) helpfully drew my attention to question 438 in the evidence taken on 25 January, in which he asked a police officer, Mr. Tony Comben:

"Can you explain a little more about what these standing arrangements are going to be and whether it will mean that the Ministry of Defence police will be patrolling garrison towns, civilian or not—what does it all mean?"

Given the behaviour of the Welsh Guards in Aldershot at the moment, we could do with whatever resources we could get to curtail some of their excessive enthusiasms: resulting, perhaps, from the absence of training facilities as a result of the foot and mouth epidemic. Clearly, many of those soldiers are getting frustrated because they are unable to go out on exercises.

Mr. Comben replied that the proposal would allow someone at a senior level to say:

"Okay for the next three months within a defined period where we have some notification of the threat your officers can do this part of the patrol outside and we in the Home Office will do some other part of the operation."

That suggests that what is being proposed here is more than the MOD police assisting, on an ad hoc basis, when they see a crime being committed, requiring powers under the Bill to enable them to act in the role of constables. It is, rather, a much more formalised arrangement, which is one reason we have reservations.

8.45 pm

Dr. Moonie: This has been a wide-ranging debate and many views have been expressed.

Amendments Nos. 2 and 3 would not remove the MDP's basic jurisdiction—for example, on defence land—to deal with serious crime, but they would stop the MDP giving assistance to a local police force in a serious case or on a police raid, as the hon. Member for Reigate (Mr. Blunt) helpfully—at least in some senses—mentioned. For example, a local force may want help simply to carry out an arrest for a serious offence; under the amendments, the MDP would be unable to give that assistance. The amendments refer to those parts of clause 31 that specifically enable police officers or forces other than the Ministry of Defence police to call on MDP officers for assistance. The amendments would limit the circumstances in which an MDP officer could provide such assistance.

By way of background, I should explain that the provisions in the Bill that would be affected by the amendments substantially restate the position in section 2(2)(d) of the Ministry of Defence Police Act 1987. Where clause 31 differs is in the removal of the geographical limitation in the existing legislation that relates to the vicinity of defence property. Clause 31 also includes the British Transport police and the United Kingdom Atomic Energy Authority constabularies, as well as local police forces, among the forces whose officers may call on MDP officers for assistance.

In one respect, the new power is more restrictive than the old one, in that its operation is specifically limited to a particular incident, investigation or operation, whereas the old power was more generally drawn. Except for its geographical limitation—the limitation to the vicinity of defence land—the present provision has worked very well in practice and I see no reason to provide additional conditions. It is to be borne in mind that the initiation of requests for assistance under the provision rests exclusively with the officer of a police force other than the MDP. I hope that the Committee would have confidence in such officers being able to act sensibly in calling for MDP assistance.

Implicit in the amendments—I accept that it was not intended, but this construction can be put on them—is the suggestion that MDP officers are not competent to be involved in major operations. In fact, MDP officers have training similar to Home Department police officers', so there is no need to limit artificially MDP officers' involvement in particular classes of case if, in the opinion of a Home Department officer, that is necessary.

In summary, we consider the limitation proposed in the amendments inappropriate both because of the constraints that they intentionally impose on the ability of MDP

[Dr. Moonie]

officers to provide assistance when it is needed and because of the erroneous premise that the latter are not competent to assist in the circumstances mentioned in the amendments.

Mr. Hancock: Can the Minister clarify for the House what rank of civilian officer can request intervention?

Mr. Key: It has never been stated.

Mr. Hancock: I think that the House is therefore entitled to be told what rank of officer can request intervention: constable or inspector?

Dr. Moonie: It is, in fact, any rank, because the provisions may be applied in an emergency. I think that we would all agree that it would not be proper to expect a Home Department police force to go up through the chain of command to find someone of sufficient standing.

I shall now deal with some of the other points that were made. A very limited extension has been made to allow MDP officers to respond in an emergency to the crimes of violence or events involving the risk of injury or loss of life that the hon. Gentleman mentioned. When an MDP officer is en route from one part of the MOD's jurisdiction to another and comes upon an offence that is being committed that clearly involves a risk to life or serious injury, he has the power to intervene as a policeman, as opposed to as a member of the public.

I can only thank the hon. Member for Reigate for his very sensible comment. As for the incidents mentioned by the hon. Member for Aldershot (Mr. Howarth), we can act only if someone cannot get help from the local police—we cannot cruise around hopefully, looking for violent emergencies. I am well aware of the problems that he is experiencing in his constituency and hopeful that we have in hand ways in which to deal with them.

Mr. Key: We are running out of time and the Minister has made his case well. My intention was to clarify what was meant to be going on, and we have been around the course; so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Quentin Davies (Grantham and Stamford): I beg to move amendment No. 4, in page 32, line 13, after "privileges", insert—

', and be subject to the code of conduct and disciplinary procedures,'.

The First Deputy Chairman: With this it will be convenient to discuss the following amendments:

No. 5, in page 32, line 22, after first "privileges", insert—

', and be subject to the code of conduct and disciplinary procedures,'.

No. 6, in page 32, line 45, at end insert—

'(3E) The Secretary of State shall be liable in respect of torts committed by a member of a police force engaged on relevant service within section 2, subsection (2), paragraph (d) to subsection 3B(b) inclusive; in the performance or purported performance of his functions, in like manner as a master is liable in respect of torts committed by his servants in the course of their employment and shall in respect of any such tort be treated for all purposes as a joint tortfeasor.'.

No. 7, in clause 37, page 38, line 37, at end add—

'Functions of inspectors of constabulary—

'(5) Protocols between the Ministry of Defence Police, Home Office Police Forces in England, Wales and Northern Ireland and Police Forces Scotland, shall be laid before Parliament.'.

Mr. Davies: The Minister was kind enough to say that our last debate was wide ranging; indeed it was. I hope that he will agree that it was also serious and constructive. He cannot claim that there has been any element of filibustering or time wasting. Therefore, by his own statement, he has condemned the decision of his party managers to force us into a three-hour debate. Parliament being gagged in such a manner means that we are less than half way through the groups of amendments selected for debate and we have only 40 minutes to go. What is happening this evening is monstrous and the remarks that I made on the programme motion were, if anything, understated.

It is not the Opposition's view that Ministry of Defence police are professionally incompetent in some way—far from it. We shall certainly not engage in the sort of MOD police bashing that we heard from the hon. Member for Hereford (Mr. Keetch), speaking on behalf of the Liberal Democrats. On the contrary, we believe that there is a good case for extending the powers of the MOD police—

Mr. Keetch: Will the hon. Gentleman give way?

Mr. Davies: No, I shall not. If the hon. Gentleman does not like my not giving way, let me point out that my reason for not doing so is that there is no time, and that the reason that there is no time is that his allies in the Labour party have imposed a disgraceful programme motion on the Committee. If he wants to complain, he should complain to his friends in the Labour party. Given the disgraceful way in which the House has been treated, I do not intend to take interventions either from new Labour Members or from their Liberal allies.

We believe that it is sensible to extend the powers of the MOD police. We do not want an MOD policeman to be unable to intervene in an emergency when he is passing. We want MOD police to be able to support the civilian police and to add to police resources in the local community when required to do so. In the Select Committee, I suggested that it would be sensible to give MOD police explicit training to prepare them for overseas police operations—Petersberg-type operations, such as the one being undertaken in Kosovo.

We do not in any way oppose that extension of powers. However, amendments Nos. 4 to 6 reflect our belief that it should be accompanied by an extension of the disciplines, checks, balances, protections and duties that would apply to civilian policemen in similar circumstances. We want to maintain the balance and to ensure that pari passu with the extension of powers goes the extension of protections. Amendments Nos. 4 and 5 would bring Ministry of Defence police under the Police Act 1996 and make them subject to the Police Complaints Authority, just like the civilian officers with whom they would be working in the circumstances envisaged under the clause.

That is important because there is currently great doubt about whether Ministry of Defence police are subject to the PCA. Let me quote the exchange that took place between the Secretary of State for Defence and my hon. Friend the Member for Uxbridge (Mr. Randall) on 7 March in the Select Committee. My hon. Friend asked:

"Does the MDP come under the Police Complaints Authority?"

The Secretary of State replied, "Yes." When my hon. Friend asked, "Under the full jurisdiction?", the Secretary of State replied, "Yes." One cannot be much clearer than that.

It is a matter of considerable concern to the Opposition—and ought to be to the public—that recently, well after 7 March, we received an e-mail from a senior serving officer in the MOD police, who said:

"police officers in the UK act under a code of conduct made by statutory instrument in 1999. The procedures contained therein derive from the Police Act 1996 and make provision for investigation and disciplinary procedures which propose to protect both the interests of the public AND the officers"—

meaning the civil police. The officer continued:

"Conversely, MDP officers are currently investigated under an internal MOD procedure, inappropriately named the Ministry of Defence Police (Discipline) Regulations 1985 . . . The stated regulations have no basis in law.

Previous statements to Parliament over the past few years, (made indirectly from MDP) have been equally as misleading as the response given to your Select Committee. Such responses have stated that the current discipline regulations 'mirror those of the home department police forces.' This is misleading at the least and at the worst blatantly untrue.

MDP officers are neither subject to civil service disciplinary procedures or regulations derived from the Police Act 1996.

I feel that it may be misleading to say that complaints against MDP officers are dealt with in exactly the same way as other police forces. "

The officer continues:

"In the interim, MDP continue to investigate police officers, make unlawful police inquiries into their private lives, form awards and hearings and award punishments etc. all without any basis in law whatsoever."

That is a serious charge, as the Committee will appreciate. In effect, the statements from the Defence Secretary that the MDP are simply subject to the full jurisdiction of the Police Complaints Authority under the 1996 Act are simply not correct. Our suspicions are strengthened by the fact that a written answer given to the hon. Member for Richmond Park (Dr. Tonge) on 22 March, two weeks after the Secretary of State's clear and apparently unambiguous assurance to the Committee, is much less clear. It is plain that the Government are trying to weasel out of the Secretary of State's clear statement. In his written answer of 22 March, the Minister for the Armed Forces states:

"The Ministry of Defence police complaints regulations are comparable to those of the Home Department police forces."—[*Official Report*, 22 March 2001; Vol. 365, c. 299W.]

"Comparable" does not mean "exactly the same", so we need to get to the bottom of the matter, and we probably do not have time to do that properly. It may well be that the Government, having imposed the programme motion on the Committee, will be able to use lack of time as an excuse for not giving adequate answers on that important matter. A whole area of considerable doubt and proper concern about contradictions in what the Government have told us will never be clarified and Parliament will not be able to do its job.

No doubt you selected Amendment No. 6, Mrs. Heal, because it, too, enshrines the principle that the same kind of protection that applies to civil police should be extended to Ministry of Defence police when they serve or act alongside civil police. The amendment deals with responsibility for torts and its purpose is simple. At present, individual constabularies are responsible for the deeds or misdeeds of their officers. If officers serve outside their own constabularies and alongside other police forces, under section 97 of the Police Act 1996, the Secretary of State is directly responsible for any damage that they may cause or any tort suit that may be made against them. We are simply extending that principle to the MOD police when deployed in equivalent circumstances alongside other police forces. Indeed, the amendment follows exactly the text of the equivalent passage in section 97 of the 1996 Act. The great problem is that we do not understand the true position, because the Government are speaking with forked tongue again.

I am glad that the Secretary of State is now back in his place, because on 7 March, speaking about the accountability of the Ministry of Defence police, he told the Select Committee:

"the Ministry of Defence Police are accountable through me to Parliament".

That is recorded in paragraph 1115, on page 161 of volume II of the Committee's report. It sounds absolutely splendid, but the evidence that we heard directly from the deputy chief constable of the MOD police, Mr. Comben, was not quite in line with it.

My hon. Friend the Member for Salisbury (Mr. Key) asked Mr. Comben:

"What I am now seeking to establish is the independence of the Ministry of Defence Police. My colleague, Mr. Davies, went through this and we established that you are accountable to the Secretary of State. This is very important because if the Chief Constable of the Ministry of Defence Police is completely operationally independent, I think you suggested that he would not get instructions from anybody, he would not even take instructions from the Secretary of State or officials in the Ministry of Defence, is that correct?"

Mr. Comben responded:

"That is absolutely so."

In other words, Mr. Comben was saying that the Secretary of State could not give instructions to the Ministry of Defence police.

The Secretary of State for Defence (Mr. Geoffrey Hoon): Will the hon. Gentleman give way?

Mr. Davies: I will give way, if I can finish my quotations first. Then the Secretary of State may be able to answer my question.

In a written answer to the hon. Member for Richmond Park on 3 November 1999, the Minister for the Armed Forces used the phrase:

"we instructed the Ministry of Defence Police to investigate the matter."—[*Official Report*, 3 November 1999; Vol. 337, c. 214W.]

There is a clear contradiction here. The Secretary of State says that the MOD police are directly accountable to him, and a parliamentary answer refers to instructions given by the Secretary of State to the MOD police, but the deputy chief constable of the MOD police says that he would not accept instructions from the Secretary of State. I am glad that the right hon. Gentleman has returned to the Chamber, because he may be able to resolve this urgent matter.

9 pm

Mr. Hoon: The hon. Gentleman does not understand something fairly fundamental about the way in which all police forces in the United Kingdom operate. They are accountable to Parliament—in the case of the Ministry of Defence police, to the Secretary of State for Defence, and in the case of most other police forces, to the Home Secretary. Their being accountable means that Members of Parliament can approach the relevant Secretary of State with whatever concerns they may have about the problems that arise.

That is how most Ministers are accountable for the activities of those in their Departments. That is what accountability means, as opposed to operational independence—I suggest that the hon. Gentleman looks up the word "accountability" in a dictionary. Operational independence is a basic principle governing the way in which police forces operate throughout the country. They do not take direct instructions on how to deal with matters. He really should not come to the Dispatch Box unless he understands those basic concepts properly.

Mr. Davies: It is the Secretary of State who does not understand what is going on—at least, that is the most charitable interpretation that one can make. I have just read out a parliamentary answer from his own Department which refers to instructions, so in practice the Secretary of State does instruct the MOD police to investigate matters and to do other things. That is in absolute contradiction of what the right hon. Gentleman has just said at the Dispatch Box, and of what the deputy chief constable told the Select Committee.

The Secretary of State owes the House an explanation of why, on 3 November 1999, his Department gave what he is now telling us was a fraudulent answer, referring to his having given the MOD police instructions that he now tells the House he is not in a position to give. Far from resolving the matter and explaining the contradiction, the Secretary of State has deepened our suspicions and made it plain that the Government have not been entirely frank with the House over this important matter.

The final amendment in the group, amendment No. 7, deals with protocols. That is also an important matter, precisely because no one knows what is going on. The Government continue to put up a smokescreen, behind which they can do what they want in the MOD and with the MOD police.

Under the previous Government, it was plain what the limitations were on the activities of the MOD police, in terms of the kind of criminal case that they would take up. When my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton) was the relevant Minister, he stated on 27 January 1987:

"The Ministry of Defence police would hand over responsibility for such crimes"—

that is, serious crimes—

"at once. If the case involved murder, rape or any such thing there would be no question and the investigation of such crime would be handed, straight away, to the Home Department forces".—[*Official Report*, 27 January 1987; Vol. 109, c. 279.]

That is clear. However, as the proceedings of the Committee reveal, the picture now is very different.

The latest annual report of the Ministry of Defence police states:

"An increasing number of offences of rape and other serious offences against the person are being investigated by the Force; during the past year 30 allegations of rape have been investigated compared to 16 in the previous year. Again this is not necessarily solely an increase in crime, but—

I emphasise this point—

"more a reflection of offences being investigated by the MDP rather than by other police forces."

Once again, we see the Government's characteristic subterfuge and reluctance to tell Parliament what is going on. We have an extension of the powers of the MOD police, contrary to previous explicit ministerial assurances and with no intervening ministerial explanation to make it clear what the position is.

My hon. Friend the Member for Uxbridge very reasonably asked Mr. Comben:

"Why do you think the MDP should be investigating more offences of rape now than they were a couple of years ago?".

Mr. Comben responded:

"Because of the protocols that we agreed with the Home Department forces".

In order to know what is going on, we must know what is in the protocols; hence the importance of the amendment.

One might think that the Government would have no problem with that. Perhaps I was too optimistic about the way in which the Government conduct their business—I expected that the Bill would contain relevant provision. During the Committee proceedings, I received an assurance from the Secretary of State that he had no objection to publishing the protocols. At paragraph 1107 I asked:

"If the solution, or part of the solution, is these protocols which you have mentioned, would you be prepared, in order to make the matter absolutely clear, so that the public can see what these lines of demarcation are, to publish the relevant protocols?"

The Secretary of State replied:

"I see no difficulty about that at all."

Perhaps he thought that he could brush me off and I would forget about the matter.

There is no reference in the Bill to the obligation to publish the protocols, so we have introduced that through our amendment. Because we are dealing with an extremely slippery and tricky Government, we require the protocols to be laid before the House. They will then be announced in the relevant documentation and will be available to hon. Members in the Vote Office. Nothing less will suffice. It is crucial that we see those protocols, otherwise Parliament will never have a clear idea of what is going on.

Mr. Menzies Campbell (North-East Fife): It was not my intention to contribute to this part of the debate, but my attention has been attracted to amendment No. 6, to which the hon. Member for Grantham and Stamford (Mr. Davies) spoke briefly. The purpose of the amendment appears to be to create a responsibility on the part of the Secretary of State to be vicariously responsible and also to be regarded as jointly responsible. There is a legal distinction between vicarious and joint liability, but amendment No. 6 does not appear to recognise that.

In these days of devolution, we must have regard to a further point. I understand this to be a United Kingdom Bill that should, if it completes all the necessary stages of

its passage, become a United Kingdom statute. However, amendment No. 6 deals only with England and Wales and not with Scotland, which has the principle not of tort, but of delict. In so far as the amendment seeks to make clear the responsibility of the Secretary of State, it seems to me that it has confused vicarious liability with joint liability, or at least that it has sought to combine them. It has, therefore, offered a remedy for circumstances south of the border, but not north of it. It would be extraordinary if the House were to agree to an amendment that created liabilities for the Secretary of State south of the Tweed, but allowed him to escape scot free—no pun intended—north of the border.

Mr. John McDonnell (Hayes and Harlington): Will my hon. Friend the Minister clarify the provision that amendment No. 4 seeks to change? It is important for hon. Members whose constituencies contain military establishments to be clear about the process for complaints by members of the public about the behaviour of an MOD police officer who has been acting under the powers conferred by the clause. Can the public complain to the Police Complaints Authority? If not, to which body will they have a right to complain? If there are procedures for complaints and appeals that might result in disciplinary action regarding the actions of Metropolitan police officers, for example, it would be inappropriate if there were no similar procedures for complaint against MOD officers acting at the request of the Commissioner of Police of the Metropolis. Will my hon. Friend clarify that point?

Dr. Moonie: On time-wasting, I point out to the hon. Member for Grantham and Stamford (Mr. Davies) that we wasted an hour of the time allocated to this Bill when we dealt with the programme motion. We have also listened to his speech for 20 minutes. I suspect that if both had been a little shorter, we might have had time to cover the rest of the important points with which we were hoping to deal, instead of listening to the self-indulgence of Opposition Members.

Amendments Nos. 4 and 5 deal with provisions that enable police officers from forces other than the MOD police to call on MDP officers for assistance. The provisions in question confer on MDP officers in such circumstances the powers and privileges that are held by the officer who is being assisted. The amendments are intended to subject the MDP officer to the same code of conduct and disciplinary procedures as those to which the other police officer is subject. That would mean that MDP officers were subject to the disciplinary procedures of another force.

We believe that such provision is unnecessary. There are currently differences between the disciplinary procedures of the MOD police and those of other forces. That is not at all desirable. Accordingly, schedule 5—I refer in particular to paragraphs 1, 3 and 4 of that schedule—is drafted expressly to allow MDP disciplinary procedures to be brought fully into line with those that have existed in Home Department police forces since 1 April 1999. Expectations about the conduct of MDP officers are no less than those that apply to Home Department officers. Indeed, MDP officers are trained to the same syllabus and operate within the same legal framework. Complaints against them are handled similarly and supervised by the Police Complaints Authority. The amendments would add nothing to that process.

On amendment No. 6, I do not intend to get into an argument with any of the legal experts on both sides of the House about the difference between tort and delict. My experience of tort is limited to that which has an "e" on the end.

9.15 pm

Amendment No. 6 intends to make the Secretary of State liable for torts that Ministry of Defence police officers commit, in the same way as, in the quaint terminology of the law,

"a master is liable in respect of torts committed by his servants."

In plain language, the Secretary of State would be as liable as if he were the employer of the Ministry of Defence officers. As they are civil servants, the Secretary of State is already liable for their wrongdoing, in the same way and in the same circumstances as an employer.

The amendment appears to be based on a provision of the Police Act 1997. It makes the Home Secretary liable for the actions of police officers who are not part of a Department when they are working for a Department or, for example, on temporary service for the Home Secretary.

Perhaps there is some misunderstanding about responsibility for Ministry of Defence police. However, I assure the Committee that the Secretary of State, like any employer, is already legally responsible for their actions. The amendment is therefore unnecessary as well as inapplicable to Scotland.

Amendment No. 7 refers to the protocols between Ministry of Defence police and other police forces in different parts of the United Kingdom. The protocols set out guidelines on the respective responsibilities of Ministry of Defence police and other forces. Three such protocols exist: one for England and Wales, another for Scotland and a third for Northern Ireland. They will be renegotiated if the proposals on Ministry of Defence police pass into law. The amendment would provide for them to be laid before Parliament formally. It is not clear whether it is intended to apply to existing protocols or to the renegotiated documents, but the overall intention is clear.

The Select Committee took an interest in the protocols and received assurances about putting them in the public domain. We shall abide by that commitment, but we should prefer it not to be a statutory obligation; that would be the effect of the amendment. The protocols will have to be renegotiated and Ministry of Defence police will be only one of the parties to the negotiations. We need to be sure that the other parties are content with the idea of publishing the documents in their entirety.

I do not want to be difficult about the matter. If we have learned one lesson from the Ministry of Defence police proposals, it is that the appetite for information about MOD police affairs is apparently endless. We shall to try to do even better in future to satisfy that.

I understand the spirit behind amendment No. 7, but I hope that the hon. Member for Grantham and Stamford will accept our desire and intention to be helpful and withdraw the amendment.

Mr. Quentin Davies: Someone should remind the Minister and his grinning colleagues on the Treasury Bench

[Mr. Quentin Davies]

that hubris is followed by nemesis. Earlier, I accused the Government of arrogance. It has got worse during the course of the evening. The Minister even had the temerity to suggest that we should not have protested against the attempt to programme or guillotine the Bill and that we should not have debated the programme motion. That speaks for itself.

Dr. Moonie: Will the hon. Gentleman give way?

Mr. Davies: No, there is no time.

Another insidious aspect of the meretricious procedure is that if we vote for our amendments or against the clauses, we take a quarter of an hour out of our limited time. It does not take a mathematical genius to calculate that if we voted for six amendments or against six clauses, there would be no debate. The Government do not want to hear arguments; they would be delighted if we spent all our time voting.

Although we have not completed our discussion of the important points raised by the amendments, I shall reluctantly but necessarily ask the House to allow me to withdraw the amendment. We can then try to make as much progress as possible on dragging the truth out of a reluctant Government.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Key: I do not believe that the clause should stand part of the Bill. The House is clearly not of one mind on the issue. The clause is the one genuinely contentious provision in the Bill. It absorbed the vast majority of our time in Committee and led hon. Members on both sides to ask a lot of penetrating questions. It would be no exaggeration to say that our confidence in the Ministry of Defence police was to some extent called into question as a result of some of the representations made to us. Hon. Members on both sides of the Committee felt that there was a lot of serious unfinished business surrounding this issue.

The right hon. Member for Walsall, South (Mr. George), my old sparring partner, reads me completely wrongly on this matter. I said that successive Governments had been unfair to the Ministry of Defence police because we had not been clear about what we expected them to do. Of course I accept his statement that certain aspects of the matter have moved on a great deal since 1987. Of course they have—and a good thing, too. However, there is still a great deal of uncertainty, and the Bill does not address that. That is why the clause should not stand part of the Bill. This matter should have been the subject of a separate Bill. The provision should have been bigger and should have addressed other issues. The Government should not just have looked at a little bit of the Ministry of Defence Police Act 1987 and tacked on some clauses. We should have been given an opportunity to examine the issue of policing of the military in the widest sense.

The clause arose from the most extraordinary circumstances. That matters, too. What was the motive of the Ministry of Defence for introducing it in the first place? That was revealed to us in a speech by the outgoing chief constable of the Ministry of Defence police to the Defence Police Federation at the end of last year, about the growing role of the CID in the Ministry of Defence police and about the protocols established with chief constables:

> "We have established the Protocols with police forces of the respective UK countries which we police but we still have anomalies in respect of our jurisdiction which is presently legislated for in the MDP Act of 1987. A more recent and poignant example was that of a request from 2nd PUS"—

permanent under-secretary—

> "for us to supply police officers on a mutual aid basis during the fuel crisis. I wrote back to the 2nd PUS and told him that he could have as many officers as reasonably practicable but he wouldn't be able to use them for the specific role that the Home Office had intended (that of aiding fuel convoys or policing picketed oil refineries). Having explained our dilemma in great legislative detail it wasn't long before the 2nd PUS was on the case. It has always been a point of great concern that fundamental issues such as where and when we can exercise the power of Constable have taken such a long time to be formally recognised. At last we have the final pieces of the jigsaw in place and ironically, it is the Armed Forces Bill 2001 which is the vehicle we are using to make these final changes."

So said the chief constable in one of his last speeches before he retired. He identified the reason why the clause has been tacked on to this important Bill, which allows the continuation of the military service discipline Acts and a number of sensible reforms that we have not opposed. We have agreed with the vast majority of the Bill; we have stuck to the timetable; and we have done what an Opposition should have done in Committee. However, this clause should not stand part of the Bill. It is not complete; it has not been thought through or debated; and it leaves a lot of stones unturned.

The Minister of State, Home Office (Mr. Paul Boateng): It has been debated.

Mr. Key: The Minister says that it has been debated. It has been debated fully in Committee, but not on the Floor of the House. Many hon. Members on both sides of the House have strong feelings about that. There is a lack of clarity in the clause, and it leaves a lot to be desired, as we have demonstrated in the speeches that we have made in the short time available. That is why, in spite of the warm welcome that we have given to many of the provisions, a lot of people in the House and outside it have severe misgivings about this part of the Bill. We have seen those misgivings written about in the press by distinguished commentators and journalists. Those in the Association of Chief Police Officers have also said that they have reservations. We have not had adequate time to discuss the matter in the wider context, and that is why the clause should not stand part of the Bill.

Mr. Bruce George: I am not quite certain from the remarks of my adversary or sparring partner, the hon. Member for Salisbury (Mr. Key), whether he is recommending voting against clause stand part. I urge him not to call a vote not because that would waste 20 minutes when we have little time available, but because it would be awful to make the MOD police an issue of party political controversy. *[Interruption.]* I did not interrupt the hon. Member for Grantham and Stamford (Mr. Davies), but he becomes semi-hysterical on these matters.

He virtually accused my right hon. Friend the Secretary of State of lying by suggesting that the Police Complaints Authority had nothing to do with the MOD police. Perhaps the hon. Gentleman will explain these remarks in the chief constable's annual report:

"Of the 54 complaints recorded last year . . . 23 were informally resolved and, in two cases, the independent Police Complaints Authority (PCA) granted its 'dispensation from investigation'."

Obviously, the PCA is more than peripherally involved. I am sorry, I have mispronounced "peripherally"; it is on a par with "nemesis". Perhaps this is my pronunciation nemesis.

Conservative Members have had a good fling. I did not like the Committee procedure and I expressed my dislike more strongly than anybody, but the Bill spent a long time in Committee and we have had a debate today. I hope that the Opposition will decide that, of all the issues to which they could object, this is not one of them, and that they will not call a vote that would throw the MOD police into the political arena, which, frankly, they do not deserve. If there is any group of police officers that has been more investigated, I should like to know which. I hope that we can let the MOD police go along with their marginally additional powers. I hope that the coppers, journalists and Opposition Members who want to do so have had their whinge now. Let us not make the MOD police a political issue.

Mr. Blunt: Having listened to the right hon. Member for Walsall, South (Mr. George) put his point of view, I can understand where he is coming from in respect of the MOD police. He has taken a keen interest in the force and has been a long-standing champion of it. He will, of course, take a great interest in the remaining stages of the Private Security Industry Bill, not least because of his interest in security issues.

Having been with the right hon. Gentleman when he pursued those interests in Moscow with the Russian Minister of Internal Affairs, I know that his knowledge is widespread. However, I have been convinced by the arguments of my hon. Friend the Member for Salisbury (Mr. Key). I have criticised amendments that he tabled, so I hope that the Committee realises that I come to the issue with an independent perspective.

My experience of the MOD police as a serving soldier, a special adviser in the Ministry and a Member of Parliament has yet to convince me that it is a force with the same talents and abilities as the others in the country. There are proper and serious questions to be addressed and my hon. Friend is absolutely right that it is wholly wrong to tack on to the Bill procedures to deal with the MOD police.

The Bill goes through a five-year cycle and, typically, it is not controversial between the parties. As to making the matter party political, it is all very well the right hon. Member for Walsall, South appealing to Conservative Members' better nature. Of course, there is a considerable amount of it, but the fact is that the measure should not be part of the Bill, which should be free standing, just as the 1987 Bill was.

Mr. George: As a member and as Chairman of the Defence Committee, I have struggled successfully to avoid any vote since 1982. I take a consensual approach. I was a member of the Select Committee that considered the previous Bill and which tacked on a measure on the sale of Greenwich naval college, so there is a well-established precedent for tacking on.

Sir Patrick Cormack (South Staffordshire): The right hon. Gentleman should have voted against that.

Mr. Blunt: From behind me, my hon. Friend says that the right hon. Gentleman should have voted against that. I do not agree; I am afraid that the measure was necessary.

9.30 pm

We are going to run out of time—which is disgraceful, as ever—but I have experienced an armed raid—

It being half-past Nine o'clock, THE FIRST DEPUTY CHAIRMAN OF WAYS AND MEANS *put the Question, pursuant to Orders [7 November 2000 and this day]:—*

The Committee divided: Ayes 308, Noes 128

Division No. 171] **[9.30 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, Rt Hon John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline

Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Ian Pearson.

NOES

Arness, David
Atkinson, Peter *(Hexham)*
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Key, Robert
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne

Maclean, Rt Hon David
McLoughlin, Patrick
Maples, John
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Wigley, Rt Hon Dafydd
Wilkinson, John
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. James Gray and
Mr. Owen Paterson.

Question accordingly agreed to.

Clause 31 ordered to stand part of the Bill.

Clause 32 ordered to stand part of the Bill.

Schedule 5

AMENDMENTS RELATING TO MINISTRY OF DEFENCE POLICE

Amendment made: No. 8, in page 67, line 27, at end insert—

4A. After section 4A of that Act there is inserted—

"Functions of inspectors of constabulary

4B.—(1) The inspectors of constabulary shall inspect, and report to the Secretary of State on, the efficiency and effectiveness of, the Ministry of Defence Police.

(2) The inspectors of constabulary shall carry out such other duties for the purposes of furthering the efficiency and effectiveness of the Ministry of Defence Police as the Secretary of State may from time to time direct.

(3) Before carrying out any inspection by virtue of subsection (1) above in Scotland, the inspectors of constabulary shall consult the Scottish inspectors with respect to the scope and conduct of the proposed inspection.

(4) In this section—

'the inspectors of constabulary' means Her Majesty's Inspectors of Constabulary appointed under section 54 of the Police Act 1996;

'the Scottish inspectors' means the inspectors of constabulary appointed under section 33 of the Police (Scotland) Act 1967.

Publication of reports

4C.—(1) Subject to subsection (2) below, the Secretary of State shall arrange for any report received by him under section 4B(1) above to be published in such manner as appears to him to be appropriate.

(2) The Secretary of State may exclude from publication under subsection (1) above any part of a report if, in his opinion, the publication of that part—

(a) would be against the interests of national security, or

(b) might jeopardise the safety of any person.

(3) The Secretary of State shall send a copy of the published report to the chief constable of the Ministry of Defence Police, and shall invite the chief constable to submit comments on the published report to the Secretary of State before such date as the Secretary of State may specify.

(4) The Secretary of State shall arrange for—

(a) any comments submitted by the chief constable in accordance with subsection (3) above, and

(b) any response that the Secretary of State may prepare to the published report or to any comments submitted by the chief constable,

to be published in such manner as he considers appropriate."'—*[Mr. Clelland.]*

Schedule 5, as amended, agreed to.

Clauses 33 and 34 ordered to stand part of the Bill.

Schedule 6 agreed to.

Clauses 35 and 36 ordered to stand part of the Bill.

Schedule 7 agreed to.

Clauses 37 to 40 ordered to stand part of the Bill.

Schedule 8 agreed to.

Clause 41 ordered to stand part of the Bill.

Bill reported, with amendments.

Order for Third Reading read.

9.46 pm

Dr. Moonie: I beg to move, That the Bill be now read the Third time.

Before I deal with the main body of my text—which, I am glad to say, will not take me too long to deliver—I should like to correct the possibility of a slight misapprehension about something that I may have said to the hon. Member for Portsmouth, South (Mr. Hancock) when we were discussing the search of premises. I tried to explain the fact that the word "searches" involves searches of space rather than searches of persons. In certain circumstances, however, provided that it were specifically mentioned and there were reasonable grounds for suspecting that an item had been secreted elsewhere, a search could involve, for example, the space of members of a crew or a unit other than that of the member who is under suspicion. I wanted to make that very clear as I may have been a little misleading on the point.

I should like to thank the Select Committee for its work on the Bill and for its report. The Committee was conceived a little less than three months ago, in circumstances that may not have been considered altogether propitious for the way in which it was likely to go about its work. That the Select Committee achieved so much is due largely to its Chairman, my hon. Friend the Member for Dunfermline, West (Ms Squire). She managed to mix courtesy and firmness in presiding over the Committee and she proved resolute in promoting its interests.

As its report notes, the Committee was able to hold at least as many evidence sessions as its recent predecessors and to undertake a similar number of visits. However, that tells only half the story, as the Committee was able to attract witnesses of the calibre of my right hon. Friend the Secretary of State for Defence, the Chief of the Defence Staff, the chief constables of the Suffolk constabulary and the Ministry of Defence police, and the Chaplain General.

[Dr. Moonie]

The visits conducted by the Select Committee included Colchester, HMS Invincible, which was off the coast of Scotland, Kosovo and Cyprus. The right hon. Member for Bromley and Chislehurst (Mr. Forth) may be of the view that those were three or four journeys too far, and he may well enlighten us about that later if he catches the eye of the occupant of the Chair. However, I know that the Select Committee found those visits a vital component of its work. The Ministry of Defence was very happy to assist in organising them.

I should say a few words about some of the Select Committee's recommendations. When the recommendations fall within the Ministry of Defence's sphere of responsibility, we shall of course give them the customary careful consideration. Perhaps inevitably, the Committee considered the issue of the tri-service Act that will replace the three single service Acts that we are in the processing of extending with this Bill. The Committee recommends that the tri-service legislation should be brought before Parliament within three years, whereas the Department is working towards bringing it forward as part of the next five-yearly Bill, as we announced on Second Reading.

The key issue for us now is to get the new legislative framework for the armed forces right. We agree that it is important for it to be in place as soon as possible, but it is even more important that the framework should be capable of meeting the needs of the services for the foreseeable future. We believe that it will take some time to ensure that we get it right. Nevertheless, we shall examine the scope for some acceleration of the project, and we shall be happy to keep the Defence Committee in touch with our thinking on that and on progress generally.

We have spent some time discussing the Ministry of Defence police today, so I do not propose to dwell on that part of the Committee's report. The Select Committee looked at the services legal aid schemes, and noted that there appeared to have been a problem recently with the availability of duty solicitor assistance for members of the armed forces overseas. That is about to be put right. It is worth mentioning that the services attach great importance to their arrangements for legal aid being at least as good as those available in the civilian sphere. There is a very serious intention that "accused in service" proceedings should not be at a disadvantage compared with their civilian counterparts, and much of the credibility of the system of discipline in the armed forces depends on that. Where problems are identified, we shall do what we can to sort them out.

Like previous Armed Forces Bill Committees, the Select Committee inquired into the question of under-18s in the services. Of particular interest is the period of service required of young recruits. The Committee is properly concerned that potential young recruits should receive clear information on that and that those involved in the recruiting process should be responsible for ensuring that such would-be recruits have fully understood the information before they sign up.

In fact, the present intention—and, we believe, the practice—is that such recruits are given full and clear information, both prior to signing up and subsequently, about the length of time for which they will be required to serve. It is only right that that should be the case. However, the procedures will be looked at again, in the light of the Committee's comments. In the meantime, we welcome the Committee's recognition of the need for the armed forces to continue to recruit young people straight from school, at the age of 16. Very many of those young people go on to rewarding and successful careers in the services.

I am sure that the House will not have lost sight of what the Bill is primarily about—the continuation for a further five years of the legislative basis for armed forces discipline. We believe that many of the changes in the Bill will help the administration of discipline; we commend those, and the Bill in its entirety, to the House.

Above all, we must remember those for whom we legislate—primarily the men and women of the armed forces. I again place on record what I am sure will be the thanks of the whole House for what the armed forces undertake and achieve, not only overseas but, as we have been reminded so graphically during the past few days, in this country, too.

9.52 pm

Mr. Key: I add my thanks to the Chairman of the Select Committee, the hon. Member for Dunfermline, West (Ms Squire), and to all its members who made it so worth while. Despite the somewhat difficult circumstances of the original composition of the Committee—I suspect that when people read its report to the House, they will understand what we were getting at—nevertheless, as the report stated, we all did our best in the traditional way.

I am grateful, too, to all those people who gave evidence to the Committee and to those we met during our modest peregrinations. I especially thank the hon. Lady—so ably assisted by the Clerk—for the quality of her report to the House. I am also grateful to the Government for actually giving the Opposition several of the important things for which we asked. That is a measure of the success of such Committees. I am an advocate of the pre-legislative scrutiny route. I was converted to it by my membership of the previous Armed Forces Bill Select Committee.

I am sure that that approach works. The Government have listened. The Under-Secretary of State for Defence mentioned the legal aid scheme and his amendment to put on a statutory basis the work of Her Majesty's inspectorate of constabulary. He also said that there would be a new look at the employment of people aged over 16 and under 18, which I especially welcome.

I agree with the Minister that the whole purpose of our work is to ensure excellence in every respect for every member of Her Majesty's armed forces and, of course, for their families and loved ones.

I look forward, with some trepidation, to the tri-service discipline Bill. I am sure that Ministry of Defence officials are already working hard on that project. If they are not, they should be because we will be after them in a few years. Such issues will need to be addressed as we move on in the cycle. We all need to make more effort to ensure that the public understand more about the policing of this country. I am sure that most people do not often come into contact with the police; they see police cars dashing about and they are aware of red caps in the Army, but that is probably about it.

Any hon. Member with a remotely military constituency can be fairly sure that up to eight different police forces will operate there. I certainly have eight forces in my constituency. Of course, the Wiltshire constabulary is by far the most numerous, but the Ministry of Defence police, the Royal Military Police, the Military Provost Guard Service, the Ministry of Defence Guard Force, the RAF police, the Atomic Energy Authority police and the British Transport police are all involved.

During our travels and in taking evidence, it was clear that some people feel that the time has come perhaps to consider creating a unified military police service for the armed forces. That suggestion has its merits. I have heard some significant arguments for more purple operations and more joint operations between the services, and it might be time to consider those issues, but the counterbalancing argument is that people like to be policed by their own kind.

We shall have to return to the legal rules that govern the terms of the service engagement, which derive from the royal prerogative and from the judicial rulings of a previous age. The feeling among civilian lawyers is that the rules are skewed in favour of the Crown, and I alluded to that in mentioning the secrecy of some of the documentation, but it might also be timely to address the whole legal and conceptual basis of the current service engagement to determine whether an engagement derived from the royal prerogative is adequate in this day and age. That is inevitable; I rather regret it, because that has been the basis on which the Army's regimental system has grown up, but Professor Rubin has a lot to contribute, and I am grateful to him for the way in which he has helped my thinking on the matter.

We must address the issues brought to the public domain in "The Future Strategic Context of Defence", a paper produced by the Ministry of Defence. I suspect that that important document is not widely read—more's the pity. I do not hesitate to say that the introduction makes it clear that the document represents not Government policy, but Ministry of Defence or military policy. However, it is significant and we cannot ignore the section on the political dimension, which states:

"Crime, terrorism and political extremism may increasingly require a military element to the Government response."

I suspect that that is true.

It should be clear that, despite earlier comments by my old sparring partner the right hon. Member for Walsall, South (Mr. George), in no sense is this an attack on the MOD police; nor was the Division that we managed to squeeze in. I have been hugely reassured and impressed during the past three months by the growing professionalism of the MDP. I look forward to visiting Wethersfield. I have been invited and I shall certainly go, because I am convinced now that it is a mature police force and that its training is up to the Home Office standard. Not only is it inspected by the Home Office constabularies, but it trains Home Office forces in a number of areas; we must dispel the myth. This is a criticism not of the police, but of the Government for the way in which they sought to tack on that series of clauses.

I return to the Ministry of Defence Police Act 1987. I am sure that the right hon. Member for Walsall, South will have had many such instances, but I cannot help recalling that on 24 February 1987, I said:

"today, we shall create a police force with a national jurisdiction under the direct operational control of a Minister of the Crown. Throughout our nation's history we have resisted this sort of arrangement and I am astonished that Parliament has allowed it to happen so easily . . . I recognise reality when it stares me in the face. However, I am certain that we have not heard the last of the Bill."—[*Official Report*, 24 February 1987; Vol. 111, c. 174.]

We should look to the role of the MOD police in future, as it will change. I have seen its new role with the Committee in Kosovo—under the direction of the United Nations—where undoubtedly it is performing a valuable international role, combining the best of British policing with a military tradition. That is perhaps one way in which the MOD police could expand in the future. I do not know whether that is the way forward, but certainly it should not be ruled out. It might be a way of strengthening the force.

Above all, we owe it to the force to give its purpose more clarity in the future than we have in the past. Overall, this has been a good and useful Bill and I hope that in continuing the life of the service Acts, we will have performed a service for Her Majesty's forces.

10.1 pm

Ms Rachel Squire (Dunfermline, West): Before we started discussing the Bill, some hon. Members told me that armed forces Bills tended to be technical, complex and boring. At times, this Bill may have been technical and complex, but boring it most certainly was not. As the House has gathered, from the start the Bill excited some controversy and there has been extensive and lively debate on many subjects. I have at times wondered whether the precedents that the Select Committee set might be used as case examples in examinations for clerks and MOD officials.

I wish to place on record my thanks for the compliments that I have received today, and I thank all Committee members for their commitment, co-operation and interest. I wish to thank Admiral Cobbold—our specialist adviser—the clerk of the Committee, the other parliamentary staff and MOD officials for their assistance and advice. I wish to thank the Liaison Committee for funding our overseas visits, which we all found invaluable in giving us a glimpse of the realities of dealing with military discipline in multinational conflict situations.

I wish to thank the Defence Committee for giving us access to its in-depth investigations of armed forces personnel issues. I wish to thank the Chairman of the Committee, my right hon. Friend the Member for Walsall, South (Mr. George), for giving us his views and the benefit of his experience. I wish to thank all those who assisted us with their oral and written evidence and their general advice and assistance.

Of course I would like to thank also the British armed forces, whose national and international reputation for professionalism and standards is second to none. It is one thing to sit in the security and comfort of this Chamber or a Committee Room debating military discipline. It is quite another thing to be a soldier who is subject to that discipline far away from family and home comforts, unable to go off duty—often for weeks at a time—and dealing daily with people who are seeking to kill those he is trying to protect and who would easily and happily kill him if he gets in their way.

One of the benefits of the Select Committee process is the opportunity that it gives Committee members to hear directly from those who our proposed legislation would most affect. I wish to share three lasting impressions that stayed with me following our brief visits; they say a great

[Ms Rachel Squire]

deal about the qualities of our armed forces and the situations of which we must be aware when we look at military discipline.

My first impression is of the presentation made by the commanding officer and his team in the 1st Battalion, the King's Own Scottish Borderers when we visited the Episkopi garrison in Cyprus. They told us how they had looked for the small but significant things that they could do to improve discipline and morale among the forces. Quite radically it seemed to me, they even involved the regimental sergeant-major as a key access point for the grievances of some junior ranks. Hon. Members look bemused, because they have not heard of an RSM playing that role before.

My second impression is of an instructor at the military corrective training facility at Colchester. He told me how he used his skills not only to help service personnel overcome the circumstances that had led to their misconduct, but in a voluntary capacity to raise money for a Russian orphanage. He took some of his annual leave every year to spend time at that place.

The third impression that will stay with me has influenced my perspective on military discipline and future legislation. I listened to the calm presentation of the Ministry of Defence policeman in Pristina who told me of his experience after the tragic bus bombing incident that occurred a few weeks ago. He had to deal with grieving Serbian families and, along with the military, a community that was hellbent on revenge, as well as supporting our armed forces personnel in their efforts to maintain order and to investigate and handle the horror that they had just witnessed.

Those three examples on their own say an awful lot to us when we consider military discipline. I have already spoken for six minutes and the House will know that the Select Committee spent much of its time examining the extension of jurisdiction. I wish to place on record my support for the recommendations in the Committee's report and welcome the comments of my right hon. Friend the Member for Walsall, South about the Ministry of Defence police. Certainly, at local constituency level, I and the community with whom they deal have always had a positive impression of them.

The time has come to move on to the long-term recommendation that we consolidate the legislation on military discipline in a tri-service Bill. The Select Committee is well aware of what a mammoth task that would be and the Chief of the Defence Staff made us aware of the flexibility that the different armed forces would require. All of us on the Committee thought that we needed to increase the pressure for a tri-service Bill and—I put my bid in early—for a full parliamentary Session to consider what would be a complex but significant piece of legislation.

Challenging times are ahead for all of us interested in the armed forces and military discipline. I hope that the Committee's report will play a significant, if small, part in future considerations.

10.9 pm

Mr. Keetch: I join colleagues in congratulating the hon. Member for Dunfermline, West (Ms Squire) on her chairmanship of the Select Committee. The selection of its members was difficult at the outset and many voices in the Chamber expressed concern. However, by and large, members of the Committee have worked extremely well together apart from one outburst from the hon. Member for Grantham and Stamford (Mr. Davies), who accused the Liberal Democrats of being in cahoots with the Government. For the record, I remind him that we opposed the motion that was put before us earlier tonight. I also remind him that it was at our request that the Secretary of State and the Chief of the Defence Staff came before the Committee. We played a significant role, as the record will show.

I am glad to see the hon. Member for Reigate (Mr. Blunt) present. In our debate on 9 January, I said that he should have been a member of the Committee. The reason I wanted him on the Committee was that I was aware of his concern that our actions now and those of the past few years might affect the military effectiveness and the core ability of Her Majesty's armed forces to do their work. When the Chief of the Defence Staff, Admiral Sir Michael Boyce, came before the Select Committee on 6 March, I put to him the same direct question that I put to the commander of every unit we visited. I asked whether the changes that we were proposing, or those to which the House had agreed in the past few years, affected our military effectiveness in any way. The Chief of the Defence Staff replied:

"No, it has not, and indeed, some of our worst fears on the bureaucratic side . . . are not being realised".

When I pressed him to say whether he felt that anything that we were doing would affect military effectiveness, he again said no, adding:

"I can assure you that if operational effectiveness were being affected by anything, I would make that perfectly clear."

That underlines the statements that members of my party have been making for the past few years: the changes in discipline that have occurred have not in any way affected our military effectiveness.

We were right to visit forces overseas. The right hon. Member for Bromley and Chislehurst (Mr. Forth), who, sadly, is not in his place, thought that we were junketing, but he was entirely wrong. Our visits were extremely important because they enabled members of the Select Committee to identify exactly what we were doing, and Her Majesty's armed forces could feel that we were doing a thorough job. During our visits to Kosovo, Cyprus, Colchester and HMS Invincible—the last of which I, sadly, was unable to attend—we spoke directly to the men and, increasingly, the women who serve in Her Majesty's armed forces. I should like in particular to express my thanks to Brigadier Hamish Rollo and Major Mark Carleton-Smith in Kosovo and to the RAF people we met at Episkopi in Cyprus.

The hon. Member for Dunfermline, West was right about the King's Own Scottish Borderers. We saw a regiment based in Cyprus that is making innovations not only in the handling of discipline, but in retention and recruitment. The regiment's actions in the Scottish borders to recruit additional people and to bring back people who have left the regiment should serve as a beacon for the Government.

Two aspects have not been thoroughly discussed today, but they were fully discussed in Committee. The first is the accountability of the Ministry of Defence police.

We made a recommendation, to which I know the Minister paid close attention, regarding the composition of the national MOD police committee. We said that it

"should be reviewed and that at least a third of its members should be drawn from outside the civil service, the police service or the Armed Services."

I strongly believe that that should be done. The right hon. Member for Walsall, South (Mr. George) said that I was wrong to criticise the MDP, but I do not criticise them—they are right to do what they are doing. However, they must be an accountable police force. If MOD police are to go on to the streets of Hereford, Walsall or anywhere else, local people must feel that they have accountability. The Committee was right to make that recommendation and to consider the protocols between the MOD police and local forces.

The Committee also expressed concern about firearms. We were assured by the chief constable of the MDP that if forces are either going on auxiliary to support the civil police—perhaps as a result of flooding—or travelling from one base to another, the firearms that they carry will be kept in secure safes in the boots of their cars, and that they will not carry sidearms or other weapons as they move about unless they are on escort duty or some other duty that requires them. I believe that that is not the case.

Mr. Hancock: It is simply not true.

Mr. Keetch: My hon. Friend is right. I have been told that in my constituency those officers regularly carry firearms when they are moving from place to place. I hope that the Minister will ensure that the assurance given by the chief constable to the Committee that that will no longer be the case will be implemented. That will prevent the situation in which MDP officers who come across a crime being committed get involved in it when they are carrying sidearms. If that happened, a can of worms would be opened and no one in the House would want that.

In conclusion, whenever we discuss these matters—and we do so sensibly—we must remember that the men and women we talk about put their lives on the line. We can talk about that, but they, and those people in my constituency who have lost their lives in the past year, have delivered the goods when it matters. That is why I am particularly concerned to ensure that nothing in this Bill or previous measures affects our capability. I am glad to say that I do not believe that anything does.

10.15 pm

Mr. Bruce George: It is often said by football fans that football teams are not as good now as they were 20 years ago. The same has been said of Select Committees considering Armed Forces Bills. The hon. Member for Grantham and Stamford (Mr. Davies) impressed us with his knowledge of the classics. Well, I am reminded of "Much Ado About Nothing". In the past, I have served on similar Committees, and we considered a series of issues, including capital punishment, gays in the military, drugs, women, race relations, human rights and what happens when a commanding officer goes bonkers. I must confess that the present Select Committee report is pretty tame stuff.

Mr. Key: I must remind the hon. Gentleman that all those exciting things happened under a Conservative Government—*[Interruption.]*

Mr. George: Absolutely; the commanding officers went bonkers too.

I was pleased when my hon. Friend the Member for Dunfermline, West (Ms Squire) gave generous tribute to the Select Committee on Defence, including thanks for the loan of our second Clerk. That was a grievous loss; when one is dealing with a labyrinthine, bureaucratic organisation like the Ministry of Defence the disappearance of one's deputy Clerk, from a staff of four—almost absent with leave—has repercussions for the Committee. I am afraid that was regrettable. Despite that, we agreed to loan our Clerk.

Had I been Chairman of the special Select Committee, I would have had more staff than Admiral Cobbold alone, who is an excellent adviser. One cannot deal with the MOD—unless the MOD is represented on the Committee. However, if balance is restored, the Committee then functions as it should and tries to monitor the MOD—rather than the MOD monitoring itself. In future I hope that the Committee goes in with more arms.

Very briefly, I recognise the generous remarks of the hon. Members for Salisbury (Mr. Key) and for Hereford (Mr. Keetch). I assure them that their remarks will be taken into account when the final case sheet is presented to the Defence Police Federation. It remains to be seen how much it takes that deathbed repentance into account. The most important message to come out of the Armed Forces Bill Committee is that it should not operate in the same way again. I hope that the lessons will be well absorbed by the MOD; the Committee should not be packed with Government Members, and should not have two Defence Ministers on it. Perhaps the Opposition could loosen up a little, and an odd Back Bencher, like the hon. Member for Reigate (Mr. Blunt) could serve on it—although he is the best example of why the status quo may be correct. I do not mean that; he would have been a wonderful addition.

Most importantly, procedures should be different. I would much prefer the Defence Committee to be involved from the outset and engaged in discussion at each stage; the Select Committee should not present major changes, or, in this case, less than major changes, suddenly and dramatically. The special Select Committee was right to say that a draft Bill should be presented to the Defence Committee; when the Defence Committee has done its work, perhaps the Bill can be passed on to a more traditional environment for consideration. My hon. Friend the Member for Salisbury is my sparring partner; I did not realise we were sparring partners until he said so and I picked up the insult—*[Interruption.]* We are not complete heavyweights.

I hope that the MOD follows the advice in the report and tries to deal with tri-service discipline legislation. The previous Government must take the blame for the fact that we do not have such legislation. We were discussing that in 1987, yet nothing has happened.

In conclusion—this speech will be rather briefer than my previous appearance here—I must repeat that in terms of accountability, the MOD police have had investigations up to here. They have had endless internal investigations, inquiries conducted by the National Audit Office, regular reports of Her Majesty's inspectorate of police, and reports on them by the Public Accounts Committee. I hope that we do not have to expose them to any further investigations, apart from the next one by the Defence Committee. Let them do their work; they are a professional force and deserve to be recognised, not to be perpetually kicked in the groin.

[Mr. George]

Despite its abortive birth, the Committee has managed to develop satisfactory work methods. The report, too, is satisfactory as far as it goes. However, I repeat my hope that when the next Committee is constituted, lessons will have been learned from the appallingly wrong decisions that were made three or four months ago.

10.21 pm

Sir Geoffrey Johnson Smith: I join the right hon. Member for Walsall, South (Mr. George), who did not exactly praise the Committee for its work, but thought that it passed muster. I agree, because the remit was fairly narrow and restrictive; had a broader brush been used, it could have got into trouble. I shall use this moment to pay my respects to all those who took part in it, as I am an old soldier who is probably in the dying moments of his membership of the House, although I shall move on, fully alive, into civilian life—or rather, normal life—afterwards.

One thing that attracts me in the report is the recognition by the Committee of how dangerous the waters are in which it moves. I do not know whether there are many people left in the House now who saw active service in the second world war—probably only three or four, if that, including my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath). Those people must be very much aware that unless people have seen active service, it is difficult for them to get under the skin of those in the armed services, who may seem to us like members of a restricted club.

There is often a danger that we shall try to impose on the services some of the civilian laws and legal ways of dealing with complaints, including the European convention on human rights. I know that that has a strong appeal for people, but for the armed forces, in the future as in the past, our civilian rights and laws may not have the same resonance when it comes to questions of life and death. I hope that we shall bear in mind the fact that what works for us in our civilian life will not always work so well for those in the armed services.

I feel that strongly, as someone who has also been involved in peacekeeping in India, where we had to have a discipline that was rather different from that which prevailed when I served in Belgium for a short time, during the second world war.

I am reminded of the difficulty by the words of the outgoing chief of defence staff, General Sir Charles Guthrie, who on 19 December, in his speech to the Royal United Services Institute, said:

> "If we hamstring our fighting services with inappropriate legislation then we will create a generation of sailors, soldiers and airmen who are little more than a gendarmerie."

To judge from the comments that I have heard from the members of the Committee who have taken part in the debate, that is not a failing that could be attributed to them, nor will it be in the future.

I hope that the armed forces and the Ministry of Defence will continue to share with us that great responsibility for providing a framework for discipline in which it is possible for the men and women of our armed forces to work as a disciplined team—to recognise the duty that they have to society, especially in peacekeeping, but also to remember that they are there to be tough and to defend our rights.

10.24 pm

Mr. Hancock: I shall be brief, mindful that the House would be disappointed if the hon. Member for Reigate (Mr. Blunt) did not have time to speak tonight, as everyone has praised him and recommended him for membership of the Select Committee. He has put down a significant marker for the future.

Since Second Reading, the House, including the hon. Member for Reigate, has come a long way. I remember the contributions at that stage, and I fully expected the Bill to be fought tooth and nail. I compliment the hon. Member for Dunfermline, West (Ms Squire) on her eloquent and informative speech this evening, although it was too short. She did more justice to the Committee's work than does the report. Her six-minute sketch of what the Committee has been up to over the past three months gave the House an insight into the serious endeavours of members of the Committee—despite the obvious packing of the Committee—to get to the bottom of what the Bill is about.

I expect that there will not be a Division at the end of our deliberations tonight. I see no point in that. We all believe that the armed forces need the right sort of legislation, and we have come a great distance in producing that, although we recognise that the Bill does not go the whole way. Hon. Members who spoke in Committee and who are not present tonight made points that need to be addressed—for example, about the way in which courts martial are to operate in future. I welcome the fact that warrant officers can be further involved. They should not be debarred from sitting on courts martial where senior officers are involved. Junior Army and naval officers regularly sit on courts martial judging officers of equal or senior rank. That issue needs to be addressed. The way in which custodial sentences are dealt with and the rights of appeal need to be reformed, and no doubt that will happen in time. Hon. Members were right to put down markers in that direction.

Like the right hon. Member for Walsall, South (Mr. George), the Chairman of the Defence Committee, I believe that a disservice was done to the Ministry of Defence police tonight by some of the comments that were made. The MOD police have been knocked and I believe, like him, that it is about time that the knocking stopped. If we give them increased responsibility, of course we want to make sure that they are accountable, and that that added responsibility is clearly defined, not only to them, but to their civilian colleagues and the wider population in which they will operate, so that no one is left under any illusions about what that added responsibility should mean.

The involvement of MOD police overseas is a step in the right direction. I am mindful of the time and the fact that the hon. Member for Reigate wants to get in. We have come a long way and produced a good piece of legislation, but that cannot be the end of the story. I hope that the next review will deal properly with the outstanding issues and with tri-service discipline. I agree with the hon. Member for Dunfermline, West that the Committee should have a year in which to undertake such a review.

10.27 pm

Mr. Blunt: It is typical that I shall probably be speaking at the end of the Third Reading. I made a nine-second speech on the programme motion for the

Second Reading, I was unable to get in at all on a subsequent stage, and I was cut off at the end of the Committee stage.

I am grateful to the hon. Member for Hereford (Mr. Keetch) and to the right hon. Member for Walsall, South (Mr. George), the Chairman of the Defence Committee, for their kind remarks about me—the right hon. Gentleman's remarks were kind, once he had withdrawn half of them. I noted his point about the report being good, so far as it goes. The Chairman of the Defence Committee would be pretty unimpressed by a document of 67 paragraphs over 26 pages. By his standards and those of the Defence Committee, that is pretty thin gruel, given the scope that the Select Committee on the Armed Forces Bill had to cover.

The way in which the Bill has been dealt with must be reviewed, as the right hon. Gentleman said. There was the opportunity for it to go to the Defence Committee. A Defence Minister and a shadow spokesman should have been attached to the Committee. The necessary expertise would then have been in place to allow the Committee to consider all the issues.

The Bill is necessary, and it would be grossly irresponsible for the House to vote against it on Third Reading. This is the Bill by which we sustain the armed forces. It is a unique piece of legislation which gives us the opportunity on a cross-party basis, with the authority of a Select Committee, to examine the issues in proper detail. As I am about to run out of time, I shall conclude by picking up on the comments made by the hon. Member for Hereford, who should not weigh so heavily the evidence given in public by senior officers who have no choice about responsibilities further up the chain of command. Perhaps he should rely more—

It being half-past Ten o'clock, MR. SPEAKER *put the Question, pursuant to Orders [7 November 2000 and this day].*

Bill accordingly read the Third time, and passed.

Northern Ireland

10.30 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2001, which was laid before this House on 27th March, be approved.

The order appoints 27 February 2002 as the date before which the amnesty period identified in a non-statutory decommissioning scheme must end. The amnesty period is the time during which firearms, ammunition and explosives can be decommissioned in accordance with the scheme, thereby attracting both the amnesty and the prohibitions on evidential use and forensic testing of decommissioned items provided by the Northern Ireland Arms Decommissioning Act 1997.

Section 2 of the 1997 Act requires that a scheme must set out the amnesty period. The initial period had to end before 27 February 1998, but the Act gave the Secretary of State power, by order, to extend the scheme by a maximum of 12 months at any one time. Four such orders have been made to date. Under the one made in May last year, the amnesty period will expire at midnight on 19 May this year. The day appointed in any order must not be more than five years after the enactment of the 1997 Act. The Act took effect on 27 February 1997, so the five-year period that it envisages will end at midnight on 26 February 2002. The order therefore extends the period during which an amnesty may be provided to the maximum extent that is permitted under the Act.

The Prime Minister and Taoiseach stated at Hillsborough castle on 5 May last year that

"the remaining steps necessary to secure full implementation of the Agreement can be achieved by June 2001."

That remains the Government's position. We are absolutely clear that we want to see substantial progress on decommissioning by June.

The report published on 22 March by the decommissioning commission, confirming the IRA's re-engagement and the continued engagement of the UVF and UFF, is to be welcomed. The commission stated in its report that

"events in the last few weeks lead us to believe that progress . . . can be made"

on decommissioning. Those are encouraging words for all of us who want the agreement to be implemented in full.

It would be unrealistic, however, to expect all decommissioning, including decommissioning by loyalist groups, to be completed by 19 May, when the current amnesty period will expire. The reality is that, as part of the Government's commitment to the full implementation of the agreement, we must continue to provide the means by which terrorist weapons can be put permanently beyond use.

It is the responsibility of the Government to ensure that the Independent International Commission on Decommissioning can fulfil its remit, which is to determine exactly how the mechanics of decommissioning should operate. That is the purpose and effect of the 1997 Act, which envisaged a maximum period of five years within which an immunity from prosecution might be required. Parliament approved that arrangement, and has

[Mr. Adam Ingram]

also approved the renewal of immunity on a periodic basis. That is why the Government have brought the order before the House.

In preparing the order, we considered the possibility of setting a June date for the expiry of the amnesty provisions. However, the Government did not think that extending the period for only a few weeks after 19 May was sensible. The reality is that decommissioning is a voluntary act, and it is not only the IRA who must decommission. Some of the loyalist groups that are committed to the agreement have made it clear that they will consider decommissioning only after the IRA has made tangible progress.

It would therefore be counterproductive not to have some flexibility over timing, and it would not help the process if we had to keep coming back to the House every few weeks. A longer time scale has therefore been chosen.

The Government believe that extending the length of the amnesty for the full period permitted by the Act is more advisable than setting a June date, because we do not want unnecessarily to restrict the decommissioning commission's room for manoeuvre.

The commission must be able to deal with arms from any paramilitary organisation, and it must have the tools to do so. In effect, we must provide the tools to help General de Chastelain and the Independent International Commission on Decommissioning to ensure that decommissioning takes place.

The Government, with the Irish Government and all the pro-agreement parties, have a responsibility to do everything in their power to secure the decommissioning of arms held by all paramilitary organisations. We are totally committed to that objective.

It is worth while putting the matter in context. It would be wrong to lose sight of the considerable progress on illegally held weapons since the Good Friday agreement was made in April 1998. The ceasefires have helped to create a context in which peace, prosperity and stability can flourish. It may not be a perfect peace, but it is preferable to what preceded it. The decommissioning commission issued a positive statement on 22 March, setting out the nature of its recent contact with the Provisional IRA, the Ulster Volunteer Force and the Ulster Freedom Fighters, and stating its belief that progress could be made.

In addition, there have been two separate, encouraging reports from the independent arms inspectors Martti Ahtisaari and Cyril Ramaphosa, detailing their inspection of a number of IRA weapons dumps. The IRA has stated publicly that it is prepared to put its arms completely and verifiably beyond use. All those stages constitute real progress in our pursuit of a peaceful, non-violent society in Northern Ireland.

However positive those developments, they are not enough on their own. They do not constitute actual decommissioning and they have not yet resulted in illegally held weapons being placed completely and verifiably beyond use. That is our ultimate goal. The Belfast agreement requires it, and all parties to the agreement agreed to work to achieve it. The Government, with the Irish Government, are committed to bringing it about through discussions with all the pro-agreement parties in Northern Ireland. Renewal of the amnesty provisions is essential to that goal.

Decommissioning is a central part of the Good Friday agreement. Removing permanently the bomb and the bullet from Northern Ireland politics is essential if the new era of peace and normality that the agreement envisages is to be established on a stable and lasting basis. To achieve that, we must work through the arrangements that are already in place, through the IICD and the mechanisms set up by the Decommissioning Act 1997.

I commend the order to the House.

10.38 pm

Mr. John M. Taylor (Solihull): Conservative Members will not oppose the order. After all, the previous Conservative Government introduced the Northern Ireland Arms Decommissioning Act 1997. As the Minister has pointed out, the legislation was intended to encourage voluntary decommissioning of illegally held arms and explosives by terrorist organisations in Northern Ireland. It sought to do that by providing immunity from prosecution for terrorists who gave up arms and explosives, and by prohibiting any forensic testing of them.

The amnesty period for which the Act provides initially ran for a year from the date on which it was passed—27 February 1997—though it could be extended for further periods of up to 12 months for up five years. The Act also established the Independent International Commission on Decommissioning to deal with the modalities of decommissioning and to verify that it had taken place. We pay tribute to the work that has been carried out by General John de Chastelain and his team in very difficult circumstances over the past four years. He has achieved an almost unique position in Northern Ireland, in that he has been able to gain the trust and confidence of all sides.

Although we shall not oppose the order, we deeply regret that it has been necessary to introduce it and to prolong the amnesty period until 27 February 2002. The reason is clear: despite all their promises, and in defiance of the wishes of the overwhelming majority of the people of Ireland, north and south, the paramilitaries have yet to decommission one gun or one ounce of semtex. At the same time, the IRA has seen its political allies in Sinn Fein enjoying office as Ministers in the Northern Ireland Executive. Furthermore, some 430 hardened terrorists—republicans and so-called loyalists—have been let out of prison and back on to the streets early. All the main terrorist organisations continue to carry out vicious beatings, mutilations, shootings and, in some cases, murders, even though they are supposed to be maintaining complete and unequivocal ceasefires or, put more accurately in their own terms,

"a complete cessation of military hostilities."

The Belfast agreement made it clear that the decommissioning of all illegally held weapons was to be achieved within two years of the referendum—that is, by 22 May 2000. That deadline came and went. However, in May last year, in what appeared to be a breakthrough, the IRA promised to begin the process of putting its arms completely and verifiably beyond use. It said that it would re-engage with the de Chastelain commission, and promised to open some arms dumps for inspection by the team of independent inspectors, to demonstrate that its guns remained silent.

Like the Government, we welcomed the IRA statement, although, as the Prime Minister made clear in the House, inspections of arms dumps could not be a substitute for

decommissioning or, to use the jargon, "delivery of product". Since then, there have been two reported inspections of arms dumps by Mr. Ahtisaari and Mr. Ramaphosa. The IRA re-engaged with de Chastelain only on 8 March—the first contact since last summer. We await the next report of General de Chastelain's decommissioning commission with interest, to find out exactly how productive those discussions have been, although the Minister will forgive me if, on the basis of the terrorists' past performance, we do not hold our breath. The blunt truth is that despite last May's statement we, and the people of the island of Ireland who want nothing more than to see the gun taken out of Irish politics for good, are still waiting for decommissioning.

There are those who say that the fact that the terrorist guns are silent is sufficient. They are wrong. Decommissioning is crucial for a number of reasons, not the least of which is the fact that its absence remains the single most important obstacle to the full implementation of the Belfast agreement, which has yet to be implemented. The issue of decommissioning is also proving to be the single most destabilising factor in the entire political process.

The single most important commodity in the process is confidence, and it is essential that decommissioning should take place if we are to maintain the confidence within the Unionist community that is vital if the process is to succeed. Decommissioning is essential if the paramilitaries are to demonstrate once and for all that the war is over and that they are committed, in the words of the Belfast agreement, to

"exclusively democratic and peaceful means".

The refusal or failure to decommission is clearly incompatible with that commitment. Until decommissioning takes place, there will always be a lingering suspicion about the true intentions of the paramilitaries: a suspicion that if they do not ultimately get their way through political debate, a return to violence remains an option. People will be entitled to ask why, if the terrorists are committed to peaceful and democratic means, they need to hang on to the weapons of terror.

Sadly, it still appears that Sinn Fein-IRA are playing two strategies at the same time, which is best summed up by the acronym TUAS. That was the title of a briefing paper circulated to republicans in 1994. To one audience, it means "Totally Un-Armed Strategy"; to another, "Tactical Use of the Armed Struggle". That ambiguity should end, and decommissioning is a way to demonstrate that beyond question.

Decommissioning should happen because, quite simply, it remains fundamentally wrong in a democracy such as the United Kingdom's to have Ministers serving in government—apart from temporarily—while they are associated with an organisation that retains weapons. Decommissioning should happen, for as long the island of Ireland is awash with guns and explosives, the chance of them falling into the hands of dissident organisations that reject the Belfast agreement is significantly increased.

We are all aware of the serious threat posed by dissident organisations on both sides, not just in Northern Ireland, where serious loss of life has been avoided only through a combination of good fortune and skill on the part of the security forces, but here in Great Britain, as the recent bomb in Shepherd's Bush showed.

Decommissioning should happen because it is the clear will of the people of Northern Ireland and the will of the people of the Irish Republic. They voted in 1998 to take the gun out of Irish politics: they voted for decommissioning. They did not vote for an armed peace. By refusing to decommission, the paramilitaries show their contempt for the views of the people in whose name and cause they have so often claimed to act.

For all those reasons, decommissioning should take place, and it should take place soon. In their statement of 5 May last year, the British and Irish Governments set out the process for the full implementation of the agreement, which envisaged decommissioning taking place by June of this year. For that to happen, it would presumably have to begin in the next few weeks.

With that deadline in mind, we are somewhat surprised that the Government have chosen to extend the amnesty provisions in the Northern Ireland Arms Decommissioning Act 1997 for the fullest possible period, to next February. Is not there a case for extending the amnesty only until June, as a clear indication of the importance that the Government attach to that date and of the urgent need for decommissioning to take place?

The decision to extend the amnesty until next February risks sending out a message that the Government have already accepted that decommissioning will not take place within the time scale envisaged last year. If so, that would be truly regrettable. We look to the Minister to reassure us that that is not the case, that decommissioning remains an urgent necessity, and that all pressure will continue to be put on the republican and so-called loyalist paramilitaries to carry it out. Everyone else has done their bit and, often at great political risk, fulfilled their obligations. Surely it is time for the paramilitaries to deliver on theirs.

10.48 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): First, I apologise to the Minister for missing the first couple of minutes of the debate. However, my hon. Friend the Member for Hazel Grove (Mr. Stunell) was here and reported to me what he said. I listened to his careful words and to the careful words of the hon. Member for Solihull (Mr. Taylor), and I can be brief. The view in my party and among Members on these Benches is similar to that expressed from the Conservative Front Bench.

It is clearly right that when the Northern Ireland Arms Decommissioning Act 1997 was passed, a possible five-year period, renewable on a regular basis, was envisaged—that was the end point contemplated then. It is also clearly right that forward steps have been taken. The two people appointed to undertake the monitoring are held in great esteem internationally and are highly regarded in their job. Likewise, General de Chastelain has become an accepted broker with the paramilitaries.

However, we are getting near the end of the period—the new Secretary of State is as aware of that as anybody—and our nervousness is shared much more every day by people in the Province who have to live their lives in circumstances that the rest of us experience only occasionally. The promises and the indications given have yet to be delivered.

We will not divide the House. We accept the Government's good faith, and know that they are trying to bring about delivery of the agreement and

[Mr. Simon Hughes]

decommissioning; but one or two matters appear to remain unspoken, and I hope that the Minister will deal with them.

First, the last Secretary of State and the Prime Minister implied that we could realistically expect an agreement to be concluded by June this year. We are now dealing with the order in early April. If pressure had been put on all the parties, there might have been a logic—as the hon. Member for Solihull implied—in delaying the order or giving it a shorter life, so that pressure could be seen to be exerted to achieve the June deadline. Will the Minister tell us whether he contemplated either a shorter order or delaying tonight's debate until nearer the June date—a date in May, when the current order runs out—to put pressure on the parties to deliver the goods which, as the hon. Gentleman said, have not yet been delivered?

My second point is this: it is obviously a good thing that the IRA has made two statements, one last year and one this year, saying that it is willing to engage with the de Chastelain commission, but that was against a background of talks having been broken off in the first place. Can the Government give the House and the people of Northern Ireland any idea of whether further progress has been made? Is there any possibility that a date is to be fixed on which General de Chastelain will be able to give a positive indication of progress? Are the Government aware of any good news in the pipeline? Have there been a number of meetings between the IRA and the commission on which the Minister can report to the House; if so, how many?

I know that we clutch at straws to some extent, but they must be more than straws before long. They must be solid pieces of building material, to enable the peace desired by the Government and all other democratic parties in the House to be achieved.

Obviously I do not deal with these matters as often as my hon. Friend the Member for Montgomeryshire (Mr. Öpik), but I understand that the weapons dumps have been inspected twice in the past 10 months. That is all well and good, but what the people of Northern Ireland want is exactly what the hon. Member for Solihull said they wanted, and what the rest of us want. We want not just inspections, but destruction. We do not just want a monitoring process; at the end of the day, we want the weapons to go. It would be helpful if the Minister could tell us whether, as of tonight, the Government have been given any indication that there is not merely a willingness for a further inspection to take place, but a willingness for the weapons to disappear by the end of the period.

Time is running out for the amnesty; time is running out for people to show that they mean what they say. Time is running out for a response to the perfectly proper initiatives that the Government have taken, with the support of all sides. We cannot call too strongly—on behalf of all the people of Ireland, north and south—for a response. We cannot go on saying, "Tomorrow, or later, will be time enough".

10.54 pm

Mr. David Trimble (Upper Bann): The order is a technical measure. It is necessary because, without such an amnesty provision, actual decommissioning could never occur. Obviously we shall want the order to be made, to provide for that. As the current amnesty period will expire on 19 May, it is clearly necessary for it to be extended. I therefore support the order, subject to a reservation similar to that mentioned by other Members, to which I shall return shortly.

Clearly, the debate will range beyond the technical measure to review what has—or, more precisely, has not—happened with regard to decommissioning over the period. The starting point is the discussions that took place in Hillsborough in May last year. At that time, the Government set June this year as the point at which full implementation of all aspects of the agreement should be achieved. The original date set for full implementation was May 2000, but in view of the circumstances at that time, the Government moved it to June this year, which was regrettable but necessary.

At that time—May last year—we were encouraged by the undertaking given by the IRA to put its weapons beyond use, completely and verifiably. Our expectation was that the IRA would engage with the Independent International Commission on Decommissioning and agree a method by which the weapons would be put beyond use. We expected the republican movement to approach de Chastelain with ideas about how that could be done, so that a fresh scheme could be made and the weapons dealt with. Provided that the weapons were permanently beyond use or unavailable, people in Northern Ireland would have been satisfied.

Regrettably, although there was some contact—a telephone call, I believe—in May or June last year, there was no engagement. The failure of the republican movement to keep its promise resulted in the decision that I took, supported by my party, to impose what sanctions we could on the political representatives of the republican movement, barring them from the North-South Ministerial Council and possibly other meetings. That sanction has been and will be maintained until serious progress occurs. I am convinced that the republican movement has moved only under pressure. Any thought that progress can be achieved without pressure being applied is, I believe, quite illusory.

Republicans have recently made undertakings to renew contact with General de Chastelain and his commission and to have further discussions, and reference has been made to a report issued by the commission on 22 March. I commend General de Chastelain's recent reports. The most recent ones have been quite detailed and are worth reading closely. When the report of 22 March is read closely, it reveals that no progress has been made. Some who have spoken today have drawn encouragement from some of the language used in that report, but it is clear that there has been no progress.

There has been a meeting—one—between de Chastelain and a representative of the IRA, but the language used about that meeting is interesting. De Chastelain says that the participants reviewed events over the course of the past year and discussed a basis for further discussions. One can contrast that with the references to meetings that de Chastelain has had recently with representatives of the UVF and UFF, at which he says they renewed their commitment to decommissioning and their general agreement on modalities.

There is commitment and agreement on methodology from the loyalist paramilitaries, but with the republican movement there has not yet been discussion on the means

by which weapons would be put beyond use, let alone any agreement. As I read that report, I conclude that there has not yet been any serious engagement between the republican movement and the IICD—contact, yes; a meeting, yes; but no serious engagement. I regard that as a very serious matter. June is the date for full implementation. As has been said, if we are to see serious decommissioning in June, there will have to be agreement on methodology and various matters will have to be sorted out in advance of that date. The time in which to do that is running out.

The danger of this order is that setting or renewing the amnesty period right through until February of next year could create the impression that June was being undermined as the date by which full implementation will occur. It is very important that nothing that is said tonight on either side of the House should undermine June as the key date by which implementation has been agreed. Whatever the position might be in an amnesty order, de Chastelain's mandate was renewed in May of last year until June. That mandate derives from an agreement that was made by all the parties; it can only be extended by all the parties.

I know from discussions with *General de Chastelain* that he is aware that his credibility and that of his commission is at stake. If no serious progress is made between now and June, he is well aware of the possible effect on the decommissioning process and his commission's credibility. It is therefore important that all parties who wish to see progress on this issue should maintain the emphasis on June and maintain the pressure on the republican movement. They should make it clear to the republicans that there will be no extension of the de Chastelain mandate without serious progress on this issue. I intend to maintain that pressure, with regard not only to the sanctions that we have applied to the republican movement but to other matters. We shall take whatever course of action we consider most appropriate to reinforce the pressure on the republicans, because there has to be progress on this issue.

I shall not weary the House by saying why that progress is necessary. The reasons have been mentioned by the hon. Members for Solihull (Mr. Taylor) and for Southwark, North and Bermondsey (Mr. Hughes). An additional reason is that there is already a significant worry that material, explosives and weapons held by the mainstream IRA are leaking into dissident republican organisations. There is some evidence of that happening from the devices that have been used. For that reason if no other, it is necessary for these weapons to be made permanently unusable and permanently unavailable. If we have progress on that, we can then start to tackle—effectively, I hope—the way in which some paramilitary gangs are transmuting themselves into Mafia-type organisations.

The people of Northern Ireland appreciate the progress that has been made so far, but they are conscious of the fact that the job is not yet done. A lot of hard work remains to be done to achieve the goal that we have set ourselves of producing a normal, peaceful society that operates in a wholly democratic fashion.

11.3 pm

Rev. Ian Paisley (North Antrim): The thesis that has been stated in this House over and over again about the agreement—so-called—has been a simple one. It is that we can wean people away from criminal acts, violence and murder by making concessions to them. The whole of the agreement is built on that thesis. We have heard it repeatedly. People have emphasised that if we give it time, it will certainly succeed.

The people of Northern Ireland see the leaders of Sinn Fein-IRA every day. They hear what they say on television; they hear what they say in the Assembly and at their political meetings. There is no reason to believe that they have changed any of their views. A recent leaflet from Sinn Fein-IRA circulated in west Belfast makes that very clear. It tells the people of west Belfast, "We are able to make an announcement that we have succeeded in ridding you of the Royal Ulster Constabulary. The police reserve which persecuted and tortured you and helped to destroy you will be off the streets in one year's time."

The leaflet goes on to say, "These people carried out against the nationalist people this campaign of torture and murder and on every occasion did that which they ought not to have done." It says, however, that the RUC will be off the streets. It says that those people are scum. It also says, "If they take employment among you, you have to make their life hell on earth. You must report them, and you must break the scum." Those are not my words, but the words being circulated among the Sinn Fein constituency. The heart has not changed.

Anyone in Northern Ireland listening to us will know how far this debate is from reality.

Mr. William Ross (East Londonderry): Perhaps the hon. Gentleman should inform the House that the document to which he refers is available on the internet.

Rev. Ian Paisley: I am sure that it is, and I am sure that it will be widely circulated.

Can any hon. Member bring me evidence showing that any of the leaders of IRA-Sinn Fein have changed at all in regard to the Royal Ulster Constabulary or the British Army? We remember the days when, every Christmas, the IRA and Sinn Fein issued the statement, "Have a member of the British Army for dinner—they taste beautiful." That is the nature of the matter.

We need to read the history of the republican leaders in the south of Ireland, De Valera and the rest of them. They knew that those men would not be changed. Their own leaders knew that they would not be changed. Hon. Members may think that they have changed because we have let them all out of prison, given them this, that and the other thing, put money into their hands and did all those other things, but they have not changed. There will come a reaping day for Northern Ireland, but it will be the people of Northern Ireland and not hon. Members sitting comfortably in this place who will have that reaping day. As was rightly said, why do they want to hold on to their arms if they are not going to use them?

It is absolutely wrong for any hon. Member to say that the IRA's arms are under constant inspection. Only a very small part of their arms has ever been properly inspected. The Secretary of State for Northern Ireland does not know how many arms they have or what percentage of arms is in those bunkers. Nor were those who inspected the arms in the bunkers the second time able to count every one of them and say, "They are all totted up and everything is all right." The inspectors had no idea whatever.

[Rev. Ian Paisley]

We have had a demonstration to try to alleviate people's fears, but they have not been alleviated. The right hon. Member for Upper Bann (Mr. Trimble) tells us that people are happy about the situation, but I have met no one who is happy about the situation. I have met no one of the Roman Catholic faith attending one of my advice centres who was happy about the situation. People are concerned when guns are in the hands of any section of the community and held on to. For what purpose are those guns held on to? As a leading MLA told us some time ago, if those people do not get their way, they will go back to doing what they do best. That man is the Chairman of one of the Assembly's important Committees. That is what we are up against.

We have put off this evil day. The right hon. Member for Upper Bann tells us that an agreement was made that June was to be the deadline. He says that we should not depart from that. If we are not departing from that, what are we doing by spreading the matter into next year? Why do we not stick to June and say that that is it? But we are not doing that; we are putting it off for another year because some Members of the House think that Unionist people will tire and say, "Oh, let them keep their arms. After all, they're not doing any harm."

No democratic Government can survive when members of that Government have access to arms that they will use if they cannot get their own way. That is the position in Northern Ireland.

As for the so-called loyalist paramilitaries, they will not disarm either. They have made that clear. No matter what they say to the general, they will not disarm. However, because they have little strength in the polls, they are not in the Government, whereas the leaders of IRA-Sinn Fein are in the Government of Northern Ireland.

Tonight, the House is putting its hand to a very, very foolish measure. It is giving IRA-Sinn Fein a prolonged period—another year—to plan, scheme and keep moving in the direction of their agenda. Their agenda is not peace; it is control. If that control does not come through the ballot box, it will come through the bullet and the bomb.

I shall vote against the motion. I think that the majority of people in Northern Ireland would want it voted against, because it extends to the IRA the liberty to go on and on—to hold on to weapons of murder and to attack those who bore the heat and the burden in those hard and evil days. It is a shame and a disgrace that we should be asked to do that tonight.

11.13 pm

Mr. Peter Robinson (Belfast, East): People in Northern Ireland who may be watching the debate on satellite television will consider it most unreal. Once again, the Government show that they are being strung along by the Provisional IRA. They are extending the amnesty beyond the time that they themselves said would be the final period for the full implementation of decommissioning in Northern Ireland.

It was a sad spectacle when the leader of the Ulster Unionist party made his comments in the debate. He should hang his head in shame. He was suckered by the IRA into making concessions to it, on the basis that he believed IRA members when they said that they would decommission within a two-year period. Although they have not delivered, he believes them again, makes more concessions and allows them a further year to decommission.

Does any hon. Member believe that the full decommissioning process will have taken place by the end of June, as required in the agreement that was reached last May? I suspect that not too many hon. Members believe that that will happen—if any. Certainly, the Minister of State does not believe it, because if he really did believe it, he would not be asking for the period to be extended beyond June to next February. That is a clear indication that the Government recognise that, once again, the IRA will not decommission.

The truth is that, far from decommissioning, the IRA is stockpiling more weapons. We had some evidence of that when a court case took place in Florida. The FBI in Miami undertook an investigation, at the end of which it concluded that the decisions that related to that particular gun-running effort were taken

"at the very highest level of the Provisional IRA."

What is the highest level of the Provisional IRA? It is its army council. Who is on the army council of the Provisional IRA? The chief of staff is Thomas "Slab" Murphy. The assistant chief is Brian Keenan. The other members are Martin McGuinness, the Minister of Education in the Northern Ireland Assembly; Gerard Adams, leader of Sinn Fein; Martin Ferris, another Sinn Fein member; Patrick Doherty, another Sinn Fein member; and Brian Gillen. They are the seven members of the army council of the Provisional IRA, a majority of whom are members of Sinn Fein.

Those are the people with whom the right hon. Member for Upper Bann (Mr. Trimble) has been dealing. They are the people who he is prepared to believe would decommission the weapons. According to the FBI in Miami, they are the people who took the decision to run more guns into the country, and we are told that their word is being taken in considering decommissioning in Northern Ireland.

How much do the Government have to be suckered? How much does the right hon. Member for Upper Bann have to be suckered before he recognises that Sinn Fein-IRA are simply stringing them all along, sucking the concessions from them and giving nothing in return? They may not understand that, but the people of Northern Ireland do. The people of Northern Ireland will take the earliest opportunity to tell the right hon. Gentleman what they think of his trusting the Provisional IRA.

11.17 pm

Mr. William Ross (East Londonderry): When I sat down to read the order, I thought that it would be instructive to look at the chronology of events. I noticed that the first piece of delegated legislation on decommissioning appeared in March 1998, and the second appeared in February 1999, extending the deadline to February 2000. In February 2000, the deadline was extended to 23 May 2000, which gives an indication of the high hopes that were around at that time. On 20 May 2000, the deadline was extended to 20 May 2001—for a year, which is all that was possible.

It is fairly certain that the general election will be held on 7 June, although Ministers may not think so. If they

do not, they must be the only people in the country who do not think that it will take place on 7 June. We are now debating the issue again today, so that the deadline can be extended to 27 February 2002—the last day of the five-year period, when the sunset clause takes effect and the legislation falls.

Of course, that raises a very interesting question. The Secretary of State made it perfectly plain very recently that the June deadline remained. What happens in June when no weapons have been surrendered for destruction? Beyond that, what happens in February next year when the decommissioning legislation dies? We have not been told that. Before we are finished this evening, we should be told what the consequences will be in June of the failure to decommission or destroy weapons and what happens as from February next year. Do all the benefits of the legislation fall? Can any weapons that are surrendered then be taken for forensic testing? I think that we should be told. If the legislation falls, surely we go back to the situation that existed before it went on the statute book.

The chronology of events shows that the Government have exhibited in relation to the IRA an annual triumph of hope over experience, We should not be under any illusions as to the views that Lord Mayhew—the former Secretary of State—took when proposing the legislation originally. As far as he was concerned, it was an absolutely vital element of the peace process that weaponry was surrendered and destroyed. It was not only Lord Mayhew who took that as a litmus test; it was treated as such by the right hon. Member for Redcar (Marjorie Mowlam) when she was Secretary of State. She made it absolutely clear that this was a most unusual piece of legislation, in that it suspended the normal criminal law, as she said on 22 February 1999 when the legislation was being renewed.

We have taken the serious step of suspending the normal criminal law, allowing people to do things that normally constitute criminal acts and to get away with them without charge, all in the hope that we would get the Provisional IRA, their fellow travellers and other terrorist organisations on the republican and loyalist side to surrender their weapons.

The Minister of State made it clear in May last year that if there were no extension, there was no hope of progress on decommissioning. Apparently the right hon. Gentleman was convinced—less than a year ago—that there was going to be progress on decommissioning. I hope that he does not feel too disappointed this evening that he has had to come back for another year. Perhaps he is just a slow learner and has not yet understood that the Provisional IRA and their fellow travellers have not the slightest intention of giving up their weapons.

A number of different wordings have been used at one time or another and, given that the debate only has a short time to run, I will not go into them. However, the right hon. Member for Redcar made it perfectly clear that the Decommissioning Commission was intended to collect and destroy the arms or to bring about the destruction of the arms by those who possessed them. Other options were also open, including the handing over of weapons for destruction.

Later on, the language changed. We had "decommissioning", "putting permanently beyond use" and "looking at things in the round". In other words, all sorts of excuses were being made for not making it clear to the IRA that weapons had to be handed over and visibly and verifiably destroyed. If I were a member of the IRA and I saw the Government changing their language and softening their approach, I would be greatly encouraged not to move one millimetre. That has happened; the IRA never had any intention of giving up their weapons. They intend to hold on to them and use them as blackmail against the democratic process, the ordinary citizens of Northern Ireland and the Government. The threat is there; they have the guns and the bombs and, if necessary, they will use them to get their own way.

The Secretary of State made it clear a week or so ago that the target date of June this year would not be affected by the order. If he had not extended the deadline to February but had made the cut-off date 1 July, the Provisional IRA might have been more likely to believe him. Be that as it may, he has decided on February next year. His reputation in Northern Ireland will depend on whether he sticks to that date. It was not my right hon. Friend the Member for Upper Bann (Mr. Trimble) or me but the Secretary of State—speaking for the Government—who said the end of June. If he cannot keep his word, he need not tell the people of Northern Ireland anything else. They will just not believe him.

June rather than February is still the operative date, but I still want to know what will happen at the end of June and what will happen next February if no weapons have been given up. What will the outcome be? Are we expected to forget completely the fact that an armed terrorist organisation with the capability to cause considerable death and destruction is sitting in government in Northern Ireland? It is being treated as a normal political party and it is feted across the world as though it has not been all that bad. Its members are viewed as though they fought a little war for freedom rather than as the ruthless, murderous thugs that they are. They live off the backs of the people of Northern Ireland and are involved in every sort of crime. They practise intimidation and terror every single day. The sooner we have clear answers to my questions, the better for all concerned.

11.27 pm

Dr. William McCrea (South Antrim): My hon. Friend the Member for Belfast, East (Mr. Robinson) said that the debate seemed to be very far from reality. When one considers the opening remarks of the Minister of State and the speeches of other Members, it is clear that they are far from reality. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) referred to clutching at straws and said that we needed solid building material. There is no doubt that we are clutching at straws when we try to get any reality or reason into this debate by considering what is happening in the Province.

The Minister's opening speech was revealing. I noticed that he was busily munching sweets when my colleagues were speaking, but I remind him of what he said. He took us back to the Belfast agreement and to the promise of May 2000 when we were supposed to have the total decommissioning of terrorist weapons. He reminded us that nothing happened in May 2000—just the empty void, being led by the nose and being suckered by the provos laughing all the way to the bank having got concession after concession from gullible Governments and previous

[Dr. William McCrea]

Secretaries of State, especially the former Secretary of State, the right hon. Member for Redcar (Marjorie Mowlam).

The right hon. Lady prostrated herself even in the prison itself in front of the provos to try to get them on to her train. It was a disgraceful and despicable act. She crawled to some of the greatest and vilest terrorists that have ever lived in our Province, who rained sorrow and tragedy on the people of the Province and the United Kingdom.

At the end of May 2000, nothing happened, but we were told that there had been a breakthrough. That breakthrough led to more concessions by the leader of the Ulster Unionist party, who has just left his seat to carry out some other business. The breakthrough was restoring Martin McGuinness and Barbara Brown—Bairbre de Brun—to their special places holding ministerial office over the people they had murdered and destroyed during the years of terror.

We had the promise of the Independent International Commission on Decommissioning. I should like to ask the Minister of State this question: what has been the cost of that commission from the time that de Chastelain started his work to now? The people of the United Kingdom have met that cost and it would be interesting to find out exactly how much it is. People in the Province cannot get cancer operations and heart operations when they need them, but there seems to be an endless amount of money going to the commission. It would be interesting the learn the precise cost of that farce of a decommissioning commission.

Anyone who knows the reality knows fine well that the provos never had any intention and still have no intention of giving up their weapons. They are stringing people along in the knowledge that all they have to do is make another little gesture to get another round of concessions. They have every reason to believe that, because time after time they have got concession after concession—a stream of concessions has flowed to the republican movement. It was interesting to hear the right hon. Member for Upper Bann (Mr. Trimble) say that we have to maintain pressure on the republican movement—that will make the provos shudder and tremble in their shoes, given what pressure has been applied until now!

The Royal Ulster Constabulary and its reserve have been trampled in the gutter. The leader of my party, my hon. Friend the Member for North Antrim (Rev. Ian Paisley), has read a document sent in the name of Sinn Fein-IRA throughout the Province: it calls the gallant RUC, GC "scum". The leopard has not changed its spots. Previous Secretaries of State have thrown their arms around those people and photographs record the kisses they had along the way with the darlings of the movement. Decent people were sick and continue to be sick.

The Secretary of State might find that funny, but I tell him that the decent people will have an opportunity to speak in the forthcoming general election. Whether he likes it or not, he will have to listen to the authentic voice of the Unionist population, because the ballot box will give that authentic voice when, in a few months at most, the Prime Minister decides finally to call it. Roll on that election—let the people speak. The people of Northern Ireland are not those who are courted by the Secretary of State, lauded, applauded and given positions. The people are the ordinary, decent voters of Northern Ireland who sent me here, even though the Labour party did not want the hon. Member for South Antrim to be a member of the Democratic Unionist party. They sent me here as their authentic voice. They will return me as that authentic voice whenever the election comes, and I shall be happy to put my record before them at that time.

We are told that the deadline is June 2001, but June 2001 is coming and the Minister of State knows that there are no guns, so what do the Government do? They move the deadline to the furthest date possible under the legislation, to February 2002. None the less, the Minister of State knows the provos and knows full well that they have no intention of giving up their weapons. If they had such an intention, why would they be arming and re-arming?

I think that the Minister of State thinks that he is in a funny house. He should stand on the ground with the people of my constituency and the Province—the people who to this very day suffer under the terror of the provos. There was nothing funny about what happened last night, when the gunmen fired their weapons and houses were petrol-bombed in Glengormley and Cookstown. The provos go on day after day, week after week. They have not given up their old path and have never moved an inch from their original direction and what they espoused in imposing their weaponry of fear on ordinary people. Yet the Minister said that de Chastelain's report was "encouraging". It is interesting that the right hon. Member for Upper Bann said that no progress has been made, and that there has not been any serious engagement. Is that encouraging?

Once the provos were applauded for letting two of their dumps be seen, but which dump were the guns from Florida going to? At the same time, they were taking part in the peace process and Martin McGuinness, who was involved, was making authorisations. The Secretary of State has told my hon. Friend the Member for North Antrim that he does not believe in those pieces of paper. However, he knows full well who is the leader of the provos.

The Secretary of State for Northern Ireland (Dr. John Reid): I did not say that I did not believe in those pieces of paper. I said that I do not discuss them.

Dr. McCrea: The Secretary of State may not discuss them, but the reason why he cannot is that he is embracing the people mentioned on them as Ministers over the people of Northern Ireland. They have committed murder. Martin McGuinness appears on one piece of paper as a member of the army council of the provos, yet that organisation carries on murdering to this day. It continues with intimidation and threats and holds its community to ransom. The Secretary of State knows that full well, but does not want to discuss it because the Government have embraced those people as the new democrats. If they are new democrats, God help democracy.

The leopard has not changed his spots. I wish with all my heart that it had, because I know exactly what it is like for the IRA gun to be fired, not at someone else, but at my own. I know what it is like for a bomb to come to my own house; I know what it is like to face terrorist

activity; I know what it is like to sit with those who have constantly experienced that. The IRA are still going on. Why else were they bringing in guns? Was that for a Christmas party? No, it was for murder and destruction. IRA and Sinn Fein know that their arguments will never turn the Unionist majority into republicans, and they know that only one weapon can screw the heart out of the Unionist population—the gun. They have never been able, through the power of their oratory, to change the hearts of Unionists, who believe in the right of democracy and the right to decide their destiny and democratic future through the ballot box alone.

Irrespective of whether terrorists are so-called republicans or so called Unionists, there is no place for arms in their hands. That is why law-abiding people want all terrorist arms to be removed from everyone; no one should be left with arms, except the security forces, who have the right to defend the law-abiding people of the United Kingdom. I am therefore telling the House that the provos have blackmailed the Government and told us that they will go back to what they know best. When the stream of concessions stops, they certainly intend to move back to the path of brutality, murder and destruction. The only way to stop that is to have terrorist weaponry removed from terrorists. I know that the Secretary of State—and the Minister of State, who will reply to the debate—will tell me that they believe that this order is the best way to bring that about. In my opinion, and in the opinion of those who elected me to this House, that is totally naive, because the provos never intended to give up their weapons. That is why they are stockpiling more.

There were those who suggested that there was a seepage of weapons—to the Real IRA or the Continuity IRA. Is that why the provos were bringing weapons in? Is that why they had to renew their stockpile? It is said that they have espoused democracy, but no true democrat can have the Armalite in one hand and the ballot box in the other.

I believe that the people of Northern Ireland deserve peace—a real and lasting peace—and that that will come about when terrorism and the terrorists, whoever they are, are defeated, and the democrats can rule.

11.41 pm

Mr. Ingram: I shall try to deal with all the points that were raised in the debate, and I shall deal first with those raised by the hon. Member for Solihull (Mr. Taylor). I accept the fact that he welcomes the order in principle, and I understand some of the reasoning that he used to set himself a position slightly different from that of the Government. I know that he understands that the Northern Ireland Arms Decommissioning Act 1997, and the way in which the amnesty flows from it, were set up by the previous Administration, so this is a continuum.

At that time, it was decided that five years was the period over which such a process was likely to be conducted, after which the Act would come up for further consideration by the House if no progress had been made. Of course, there was no suggestion then that we were likely to achieve the Good Friday agreement. That was a major step forward, as everyone, including the hon. Gentleman, recognised at the time.

In one sense, I accept the point that the hon. Gentleman made about the possibility that some people may take the wrong signals from the extension. That may happen. There is not unanimity of opinion in Northern Ireland; not everyone marches to the same tune. There will be those who seek to exploit what we are doing for their own ends—although I do not say that that is the spirit in which he raised the matter.

Neither the IRA nor Sinn Fein is under any such illusion. They both know that the Government are determined to deliver on the commitment given last May that June is the target date, and remains our objective. That is the way in which the Prime Ministers of the United Kingdom and of the Republic of Ireland have gone about their business, time after time, constantly seeking to get all the parties round the table and move the process forward. No pro-agreement party should be under any illusion about the Government's determination.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) asked about the on-going discussions that there may or may not have been between the Independent International Commission on Decommissioning and the various groups with which it is in contact. It is for the de Chastelain commission to advise the Governments on meetings with the IRA, the Ulster Volunteer Force, the Ulster Freedom Fighters or any other group to which it may be talking.

The commission's most recent report, on 22 March, said that its meeting with the IRA representative had been in good faith. It also stated the commission's expectation that further meetings would occur soon. That was how it reported not only to the Governments but publicly. I would analyse that as progress, and that was how the commission set things out in its statement; it used a word that could lead us to that conclusion. This was not the end of the process, but again, it was part of a momentum towards achieving what we all hope will be the end result.

Further to that, General de Chastelain has made it clear on a number of occasions that if he believes that progress is not possible, he will say so. He has not said that, but he would do so if that is how matters appeared to him. The general's integrity and judgment are beyond question. I know that the hon. Member for Southwark, North and Bermondsey would accept that. There are no secret deals and no secret knowledge. That which the commission obtains from its points of contact is eventually reported on. It is then for the House and the wider community to consider that.

I repeat that if General de Chastelain makes an assessment of the situation and concludes that no progress has been made, he would say so. I am sure that that would resonate widely and deeply in everything that we are doing, but he has not said that yet, nor is there an indication that he is likely to do so. A textual analysis of what he reported on 22 March shows the opposite to be the case.

I pay tribute to the resolute way in which the right hon. Member for Upper Bann (Mr. Trimble) has stuck to his task. It has not been an easy task, and I know that he receives many plaudits, but it is worth constantly paying him such compliments, because he has a difficult job trying to lead his party down a route that is difficult for him and for many in the Unionist community.

I am sure that the right hon. Gentleman would agree that he has stuck to his task, as has the Prime Minister. The way in which the two Governments have dealt with the issue and the determination that they have shown is what the vast majority of people in Northern Ireland want.

[Mr. Ingram]

They may not necessarily have voted for it or even in support of the Good Friday agreement, but ultimately the objective that we seek is what they want, even those who at present may give electoral support to parties that have not yet totally turned away from violence. That is the mood of wider opinion in Northern Ireland. I am conscious of the fact that the right hon. Gentleman was not present for my opening comments. The June target date remains the operative date for the Government as well.

I shall not spend too long on the comments of the hon. Members for North Antrim (Rev. Ian Paisley), for Belfast, East (Mr. Robinson), and for South Antrim (Dr. McCrea), or even those of the hon. Member for East Londonderry (Mr. Ross). I have heard their argument time and again. It contains no solution. I understand their criticism. I understand that they say that we offer hope, rather than delivering anything more substantial, but what is the alternative? Is it to go back to the violence and back to war? Is that what they want? Is that what they want to impose on the people of Northern Ireland?

Dr. McCrea: Will the right hon. Gentleman give way?

Mr. Ingram: In a moment. I shall deal with some of the offensive comments that the hon. Gentleman made. *[Interruption.]*

If bombast alone could remove the bullet from Northern Ireland, it would have gone long ago, but shouting, ranting and raving at it does not deliver peace. That will be achieved by careful analysis of the situation, by considering where the problems exist in Northern Ireland, by trying to find points of agreement and by creating the inclusive society envisaged in the Good Friday agreement.

The hon. Member for South Antrim has been shouting at me, but I hope that I have silenced him, for the first time.

Dr. McCrea: It was the provos, not the Minister of State, who tried to silence this hon. Member. It was the provos who tried to murder my family and me. Does not the right hon. Gentleman know how hurtful it is to suggest that we are going back to violence, when we have been the butt of the terrorist violence? We are not taking up any gun. We never pointed any gun at them. We are not doing so now. I find it extremely insulting for him to suggest to someone who believes in democracy and whom the provos have tried to murder that we want to go back to the gun. We want the guns stopped.

Mr. Ingram: I do not for one moment deny the threats that have been suffered by the hon. Gentleman and his family, but I can look around the House and see others who have suffered similar threats. They might not have suffered to the same extent, but the potential was there. Many families have had to accept the possibility of such violence being visited upon them because a member of their family—perhaps a Member of Parliament—had taken the arguments on.

That is the reality that is faced by all of us who deal with these issues, so the hon. Gentleman is not unique. I recognise the sensitivity that is involved. I have not been Minister for victims for so long without understanding the extent and depth of the grief that exists in Northern Ireland. We have tried to tackle that grief sensitively and not to turn our face away from it. We have tried not to exploit the situation, but to heal it. We do not want to create divisions or continue to exploit the sectarian bitterness in Northern Ireland. Instead, we want to try to achieve a better and more decent society. I think that my objectives are different from his.

The hon. Gentleman spoke earlier about the visit made to the Maze by my right hon. Friend the Minister for the Cabinet Office when she was Secretary of State for Northern Ireland. However, she did not visit the republican prisoners. She met the so-called loyalist prisoners. He might have recognised some of them, as he shared platforms with some of those very evil people. That is the reality. It was widely recognised that her brave decision ensured that the loyalist groups remained on ceasefire. As we have said consistently, we are not involved in a perfect peace. There are major difficulties—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I say to the hon. Members for South Antrim (Dr. McCrea) and for North Antrim (Rev. Ian Paisley) that they should keep quiet while they are in a sedentary position. There are strong opinions and they can be expressed strongly in this House, but they must be expressed within the rules of order.

Mr. Ingram: Thank you, Mr. Deputy Speaker.

There are heated views to be expressed, and the temperature has been raised by DUP Members. We are on a difficult road, and this is an imperfect peace. We are seeking a more perfect solution as best we can, so I ask them the same question: if we do not pursue that, then what? Is it more Army, more violence and more of what we had in the 1970s, 1980s and 1990s? Is it more of what the DUP does when it says that it does not share government with Sinn Fein, but joins it in Assembly committees? They try to have it both ways. They say publicly that they do not support such arrangements, but I have met joint delegations consisting of DUP and Sinn Fein councillors, as well as other representatives of those two parties. If the DUP is not going to have dealings with Sinn Fein, that should be complete and total; it should do so in no way at all.

I accept that DUP Members understand the importance of democracy and are aware that there is sometimes a need to talk to one's enemy to further one's own political ends. That is what DUP representatives are doing when they participate in joint delegations to meet me as a Minister, as they have done a number of times. I shall not accuse them of hypocrisy, because I cannot use that word. I am sure, however, that many people outside the House will question why they do not serve on the Executive with Sinn Fein, but join it in making a variety of other representations.

Mr. Peter Robinson: I would certainly not walk out of this House if Sinn Fein came into it, and I doubt whether any other hon. Member would do so.

The Minister asked about an alternative. I am not sure whether he heard the view that was belatedly expressed by the right hon. Member for Upper Bann (Mr. Trimble),

who said earlier that it is only pressure that has forced Sinn Fein to change its view. Of course, there is no pressure, because, as he conceded, he gave in to everything, and that has always been his position. If pressure is the way to achieve progress, could not the utmost pressure be applied to Sinn Fein simply by saying, "You don't get into government until you have decommissioned", rather than by putting it into government first and then asking it to decommission?

Mr. Ingram: The hon. Gentleman does not support the Good Friday agreement; he is therefore out of synch with the majority who supported it. The Good Friday agreement did not make the requirement that he outlined, and the people did not sign up to such a requirement. A series of iterative processes had to be undergone. Some were required of the Government and the Irish Government; others were required of other parties. They are all being taken forward.

Does the hon. Gentleman have a blueprint instead of the Good Friday agreement other than being resolute or saying "No" at a time when republicanism is writ large in the form of the dissident Real IRA? We have never hidden from the fact that violence exists, but we must determine the way in which to overcome it. All of us who are taking forward the Good Friday agreement are trying to achieve that. It would help the process of moving towards a different, better Northern Ireland immeasurably if members of the Democratic Unionist party found it in their hearts to be inclusive, and acknowledged that they might have to sit round a table with those who have opposed them in the past.

Absolutism will not succeed in Northern Ireland; it has not succeeded in the past, and it will not succeed in future. That is why the people of Northern Ireland voted for the Good Friday agreement in such large numbers. They knew the difficulties and problems.

Mr. William Ross: Will the Minister give way?

Mr. Ingram: No, I have only a few more minutes.

We have said time and again since May last year that June remains our target date. We are set on that course, which was decided at our last engagement with Sinn Fein at Hillsborough. It remains our position. The Independent International Commission on Decommissioning reported on 22 March that progress had been made. Much more needs to be made.

I set out the reasoning behind extending the amnesty until February next year. It does not alter the target date; it simply takes the amnesty period to the point at which the five years outlined in the Act expire. As I tried to explain earlier, it avoids our returning to the House time and again to renew the amnesty.

I also pointed out that some so-called loyalist groups said that they would begin their decommissioning only after they witnessed some tangible movement from the IRA. There is therefore a requirement for a period that extends beyond 19 May and the few weeks after that, which some hon. Members requested.

I accept that the order may not be wholly welcome, but we must agree to differ on that. The Government have shown that we can move forward. We have a much more peaceful Northern Ireland with an economic position that makes it stand out from many other regions of the United Kingdom. That would not have happened without the Good Friday agreement and without basing our economic approach on what the agreement will achieve. I therefore ask hon. Members to accept the order, which provides a framework for moving forward.

Question put:—

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 4 April, pursuant to Order [7 November 2000].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together motions 8 and 9.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

RATING AND VALUATION

That the draft Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001, which was laid before this House on 26th March, be approved.

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 80) on 2001–02 Special Grant for Rate Relief in respect of Hardship Caused by Foot and Mouth Disease (HC368), which was laid before this House on 27th March, be approved.—*[Mr. Kevin Hughes.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

OLIVE OIL

That this House takes note of the European Union Document No. 9431/00, Special Report No. 11/2000 of the Court of Auditors on the support scheme for olive oil; and supports the Government's aim of pressing for further reform of the regime to reduce its costs, complexity and opportunities for fraud.—*[Mr. Kevin Hughes.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT

That this House takes note of European Union Document No. 10802/00, draft directives on waste electrical and electronic equipment and on the restriction of the use of certain hazardous substances in electrical and electronic equipment; notes the Government's current negotiating line on the Document; and supports the Government's actions.—*[Mr. Kevin Hughes.]*

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 4 April, pursuant to Order [7 November 2000].

Lupus

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

12 midnight

Mrs. Janet Dean (Burton): I am delighted to have been successful in securing this Adjournment debate. Several weeks ago, I tried without success to secure a debate on brewing, which is important to my constituency. Tonight, I am pleased to address the House on an important issue, about which people's awareness needs to be raised.

We are all familiar with awareness weeks as they seem to occur for one thing or another throughout the year, and we wear our ribbons and badges with pride. Lupus awareness week, which is between 14 and 21 April this year, is special because awareness of lupus needs to be raised. It needs to become more well known than it is.

I want to pay tribute to Lupus UK for its work in trying to raise the profile of systemic lupus erythematosus, which is the name of the condition. I also pay tribute to Cheryl Marcus, who founded the British SLE Group—the forerunner of Lupus UK—in 1978. The current chairman, Ronnie Gourley, and the vice-chairman, Yvonne Norton, work hard to make the general public and the medical profession more aware of the condition. They were also a great help in supporting the formation of the all-party group approximately a year ago.

Systemic lupus erythematosus is difficult to say, and difficult to live with. It is an auto-immune disease. "Systemic" means throughout the system. My hon. Friend the Member for North-West Leicestershire (Mr. Taylor) just asked me what the derivation of "lupus" was. It is the Latin word for "wolf". Some people with the condition have a wolf-like rash across their cheeks. "Erythematosus" simply means a reddening, or an inflammation. People with systemic lupus erythematosus can have inflammations of many parts of the body—a few parts or a lot—with organs such as the heart, the brain and the kidneys being affected. The skin and the joints can also be affected—you name it, and it will probably be involved in some cases, although not in others.

There are some interesting facts about lupus. One in 750 women in the UK have the condition. Worldwide, lupus is more common in some races than in others. It affects about one in 1,000 white women. In black women, the figure is as high as one in 200. Asian races have a higher tendency to lupus as well. It predominantly attacks women of childbearing age, but young children and men can also be affected, and 10 per cent. of lupus patients are male.

Although the disease is little known in this country, it is better known elsewhere. Worldwide, it is more prevalent than leukaemia, muscular dystrophy and multiple sclerosis. It is estimated that some 50,000 people in the UK have lupus, many of whom have not yet been diagnosed. Twenty per cent. of recurrent miscarriages have a direct link with lupus and the associated Hughes syndrome.

When I first heard of lupus, back in 1970, I had to write it down on a piece of paper to remember it. Very few people seemed to have heard of it in those days. Sadly, I heard about the disease because my mother was diagnosed with it. For many years—probably from the time of my birth—she had had such illnesses as arthritis, pleurisy, Raynaud's syndrome and severe headaches, but nobody had put all that together. It was 21 years later, in 1970, that her illness was diagnosed when it began to affect her heart—I suppose that it had to be diagnosed.

Ironically, in 1978, my husband Alan also developed lupus. We sometimes hear of siblings or a mother and daughter who have it, because there is an hereditary tendency to the disease, but it is unusual to have such an illness on both sides of a family. Alan was seriously ill with cerebral and kidney complications and I pay tribute to Dr. George Cochrane and Dr. Christian Murray-Leslie, who treated him. It is essential that people with such a chronic and severe illness have a good relationship with consultants.

I do not want my speech to be all doom and gloom and it is important to recognise that, at one time, only the severe cases were found. Nowadays, doctors find more cases because, thankfully, they are looking for them. Tonight, I want to ensure that even more people are assessed and, if they have lupus, diagnosed correctly.

For those with severe illness, steroids and immuno-suppressants are often used. Those who have milder lupus can be treated with aspirin or non-steroidal anti-inflammatory drugs. Nowadays, more cases, including mild ones, are being diagnosed and a lot of people are treated, recover from the illness and go on to live a full life, so there is good hope for them. However, we must also acknowledge that lupus can kill. It is a severe illness, which is a reason why diagnoses must take place.

Besides my family involvement, I have attended constituency functions in aid of lupus and have been involved in helping to set up the all-party lupus group, so I have become even more aware of how lonely a condition it is. Some sufferers who have come to coffee mornings in aid of lupus have told me, "I have never met anyone else with it." They perhaps do not know about Lupus UK, nor do they know how to get information, so it is critical that that knowledge is conveyed to the general public.

It is also important that knowledge of lupus is conveyed to general practitioners and consultants throughout the medical profession. Lupus is a great mimic of other conditions, which is a reason why it is not always recognised, so I pay tribute to Lupus UK for recently publishing a guide for nurses. Last November, at the reception we held here at the House of Commons, it launched a guide for GPs.

I urge the Government to ensure that there is sufficient training of doctors in many of the rheumatic conditions, because lupus is often treated by rheumatologists. The Government must also ensure that awareness of lupus is raised and that there are enough specialists to concentrate on the disease. Sufficient resources must go towards research to continue to develop better treatments and to increase knowledge of this and other auto-immune diseases.

I pay tribute to Dr. Graham Hughes, whose name has been given to the associated condition of anti-phospholipid syndrome, or Hughes syndrome. Across the river is St. Thomas's, which has a famous lupus clinic and is also a centre of excellence. Doctors throughout the country refer patients to that world-renowned clinic, and I understand that it currently treats some 2,500 people with lupus.

I think that the clinic will be pleased about the Government's bed review. There have been difficulties in the past, but I believe that a couple of beds are now reserved for lupus patients. That means that the clinic can be sure of admitting people from regions throughout the country. We would not want people to think they were going into hospital when, in fact, there were no beds for them. It seems that there has been some improvement, but I hope that the Government and the health authority involved will keep the position under review.

Another issue that I urge the Government to keep under review is charging for prescriptions in relation to chronic diseases such as lupus. I know that if the glands no longer produce cortisone because of steroid treatment, a test can show that and prescription charges can cease; but because lupus affects various parts of the body, many different drugs are often needed at any one time. Dressings may also be needed if there are skin lesions. As a consultant once said to me, people should not have to pay to be ill.

I thank members of all parties for the support that they have given to the formation of the all-party group that we set up last year. There seem to be all-party groups for everything, but we felt that there was a real need to ensure that lupus was more readily known about, and I think that the all-party group will bring that about.

We decided at an early stage to conduct a survey of Members to establish how much they knew about lupus. I think that they may be more aware of the condition than people outside. I am pleased to say that 23 per cent. of Members, including interested peers, replied, which is quite a good response here. It was probably better than normal because we asked only four questions. Perhaps there is a message there for anyone who surveys Members of Parliament: if the questions are kept to a minimum, we are more likely to fill at the forms. The responses were interesting. Of the 153 who replied, 128 had heard of lupus, 51 were aware of constituents with the disease, five had family members affected by it, and 24 had friends who suffered from it.

I hope that the debate will add to the knowledge and awareness of this chronic, debilitating condition, which can devastate families.

12.13 am

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for Burton (Mrs. Dean) on obtaining the debate and selecting this subject. It gives me an opportunity to say something about the Government's position in regard to treatment of lupus.

I am aware of the valuable work that my hon. Friend does in the all-party group that was formed in November 2000. I now know—which I did not before tonight—of her personal family experiences, of which she spoke movingly.

I, too, want to put on record a recognition of the contribution made by the voluntary sector in supporting people with lupus. The work of Lupus UK and its regional network is important. I hope that this year's lupus awareness week will build on the success of last year's event and succeed in its aim of raising public awareness of this distressing condition.

I was surprised to hear the results of the survey—one of the few surveys not sunk by a message from the Whips Office saying that we do not normally respond to surveys. I would not have adjudged awareness to be so high. I must admit that, before I was in my present post, my personal knowledge and constituency experience of lupus would have been nil. The work of the all-party group is important and supports that of the outside groups. I also want to mention the valuable work being carried out by the lupus research unit at St. Thomas's hospital.

Lupus can occur at any age, and in either sex, although it is nine times more frequent among adult females than among adult males. The symptoms of the disease, though, are the same in men and women. Among children, lupus occurs three times more commonly in females than in males. Nine out of 10 patients with lupus are female. It is usually triggered between the ages of 15 and 50. The best estimate is that there are about 50,000 people with lupus in the UK, as my hon. Friend said.

Lupus is a chronic debilitating disorder of the immune system which is incurable and painful. Symptoms can range through the whole medical textbook, but certain symptoms predominate, such as joint pains and swelling, fever and skin rashes.

Lupus is one of the many diseases whose cause is not known. There is probably a genetic predisposition, although episodes can be triggered by environmental agents—for example, infections. Despite years of research, no virus or infectious cause can be identified; nor is there evidence of an environmental cause. Whatever the trigger, the basic problem is an alteration in the immune system. The normal immune system makes antibodies directed against the patient's own body, and this causes tissue damage.

Diagnosis of the disease is difficult because, as my hon. Friend said, many lupus symptoms mimic other illnesses, such as rheumatoid arthritis. There is no single laboratory test that can determine whether a person has lupus. Normally, diagnosis is made by a careful review of a person's entire medical history, together with an analysis of results obtained from laboratory tests and some specialised tests related to immune status. As my hon. Friend rightly said, that does not mean that nothing can be done to help patients with lupus. In the majority of patients, it can be controlled. Treatment aims to suppress the overactive immune system and diminish inflammation.

Treatment may initially be aggressive, perhaps involving the use of steroids, but often milder drugs, such as antimalarials, can be used later. With time, the aim is to treat the disease and use drugs that produce the fewest side effects. Patients may experience a fluctuating course of lupus, but most remain quite well and live at home rather than going into hospital.

I have already mentioned that lupus has no cure at present, that its cause is not fully understood and that diagnosis is often very difficult. That is why it is important to improve our understanding of how to treat and manage it by research. I am pleased to say that the Government, through our support for the Medical Research Council and other research streams, are helping in the drive to understand the causes.

In England, the main Government agency for research into the causes of and treatments for disease is the Medical Research Council, which receives its funding via the Department of Trade and Industry. We keep our priorities for research under review. In the NHS, priorities are identified through widespread consultation with

[Mr. John Denham]

those using, delivering and managing services, taking into account the burden of disease, potential benefits and Government objectives, as well as the responsibilities and work of other funders.

It has long been a principle that Governments do not prescribe to research councils how they should distribute resources. That is best decided by research and research users. The Medical Research Council takes all those factors into account.

The current edition of the national research register—issue 1, 2001—shows that there are 73 on-going projects, with another 95 recently completed, considering various aspects of lupus. The NHS helps all the projects by paying the hospital support costs of the units involved.

My hon. Friend mentioned the lupus research unit at St. Thomas's hospital. It is open to lupus patients from all corners of the United Kingdom, and runs special clinics each weekday, with dedicated staff who are trained in all aspects of lupus and related diseases. In addition to medical clinics, the unit has nurse-led clinics and make-up clinics. It provides patient advice services, including weekly lupus pregnancy counselling clinics, information booklets, a CD-ROM, and a hotline telephone service for patients and doctors. The unit now has the largest number of lupus patients on register in the world.

The unit is fully committed to treating this condition. Led by Dr. Graham Hughes, it undertakes research, supported by the St. Thomas's lupus trust. This research is world renowned and has already made major contributions to the understanding and treatment of this devastating illness. Last year, at the annual scientific meeting of the American college of rheumatology, the lupus unit was awarded first prize for a collaborative study with a unit in Milan. The research unit is clearly doing vital work in increasing our understanding of this complex illness. My hon. Friend the Minister for Public Health attended the launch of the Hughes syndrome foundation in February of this year.

My hon. Friend the Member for Burton mentioned a couple of specific issues. She spoke about the training of doctors and the provision of consultants. My understanding is that training and awareness of lupus should be part of the core training of doctors which is reviewed regularly with the royal medical colleges and the medical schools and universities. There is no evidence of a shortage of consultants in this area. If she has concerns that she wishes to write to me about, I shall be happy to look into the matter further, but that is my understanding of the position.

Entitlement to help with prescription charges is based on the principle that those who can afford to contribute should do so while those who are likely to have difficulty in paying should be protected. For example, children under 16 and people aged 60 or over are entitled to free NHS prescriptions. As my hon. Friend recognised, people suffering from certain medical conditions are also exempt from prescription charges.

NHS charges and all other aspects of Government spending were reviewed in 1998 as part of the Government's comprehensive spending review. Following that review, the Government made the commitment that all current prescription charge exemptions would be protected for the rest of the Parliament and that existing charges would rise by no more than the rate of inflation over the following three years.

The list of medical conditions conferring prescription charge exemption was introduced in 1968 after being agreed with the medical profession. The list has been reviewed on a number of occasions, but no clear-cut case for extending it has since emerged or attracted consensus.

When the medical exemptions were introduced, only 42 per cent. of all NHS prescriptions were dispensed free of charge. Now the figure is more than 85 per cent. As a result, many people with medical conditions not on the exempt list already get free prescriptions on other grounds.

We do sympathise with people who require regular or extensive medication, such as those with lupus, but we have no plans to extend the list of medical conditions that confer exemption from prescription charges. People who have to pay prescription charges can seek help under the NHS low-income scheme or through the purchase of a prescription prepayment certificate that offers considerable savings to those who need regular medication.

One of the aspects of lupus is the pain involved. Pain is a major problem and a common consequence of ill health; indeed, it is a major cause of ill health. It is important that good quality pain management be provided to patients to improve their health care and quality of life. We are committed to providing equity of access to health care and to reducing variations in the availability of services. Patients who suffer pain should have access to services that provide management programmes of proven effectiveness. In reviewing local provision, account should be taken of the needs of adults and children and should include patients with acute pain resulting from sudden illness or accident, as well as post-operative and chronic pain, including lupus.

The clinical standards advisory group report has shown that many NHS trusts have developed excellent services, but we recognise that, in some places, more needs to be done to drive up standards. We expect the NHS to take full account of that report when reviewing local provision to meet the needs of both adults and children.

Lupus can, as I said, be managed by drug regimes and also by careful monitoring and a flexible treatment programme. Patients can learn to manage their condition through information, by pursuing daily routines and by resting regularly, thus reducing stress and pain. We know from research that self-management schemes for people with chronic long-term medical conditions can have beneficial effects, including improved health status and fewer hospital admissions. The "Saving Lives—Our Healthier Nation" White Paper signalled our intention, reaffirmed in the NHS plan, to introduce a programme to help such people to manage their own health better, with specialised support from health care professionals and other agencies.

A specialist taskforce, chaired by the chief medical officer, has been examining in detail how an expert patients programme might be designed and embedded within mainstream NHS activity. The taskforce has examined a wide range of issues, including the role of patients as experts in managing their chronic disease,

the relationship between self-management programmes and the support required from the NHS, quality assurance and accreditation, and issues of best practice. Now that the expert patients group has examined many diseases, the challenge will be to apply the lessons learned in the management of lupus. A first draft of an expert patients report has been produced, and my right hon. Friend the Secretary of State for Health has recently announced his intention that the final report will be published in the summer of 2001.

I understand that a drug called Aslera has recently been developed in the United States as a potential treatment for lupus. It is the first new drug to be developed for use in lupus treatment for about 40 years. However, it is at an early stage of development, with further trial evidence being required on both long-term clinical and cost effectiveness. I understand also that it may be submitted for European licensing in the next two years. It is envisaged that, once licensed, it would be recommended as treatment for severe cases of lupus and prescribed alongside existing drug therapy.

My right hon. friend the Secretary of State recently announced that we shall develop a national service framework for long-term conditions. We intend that that framework will be used to produce specific standards for treating long-term neurological conditions. It will also provide generic standards for people with long-term chronic conditions such as lupus. I hope that my hon. Friend the Member for Burton will agree that that is a positive step forward.

I hope that my hon. Friend will also agree that the Government are sympathetic to the needs of patients with lupus. We have supported research into the causes of the disease through the Medical Research Council, and we hope that the standards produced by the national service framework and the work on the development of an expert patient programme will help to improve services for people with lupus. Finally, as I said, I hope that lupus awareness week will prove to be a success.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Twelve midnight.

House of Commons

Tuesday 3 April 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

MEDWAY COUNCIL BILL *[LORDS]*

Lords Reason for disagreeing to a Commons amendment, considered.

Lords Reason:

The Lords disagree to the amendment made by the Commons in page 4, line 23 (leave out from 'business' to 'enter' in line 24), for the following Reason:

Because it is desirable that, so far as possible, the provisions of the Medway Council Bill remain in keeping with the corresponding provisions of the Kent County Council Bill.

Ordered,

That this House do not insist on their amendment to which the Lords have disagreed.—*[Mr. Paul Clark.]*

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Budget

1. **Mr. Desmond Browne** (Kilmarnock and Loudoun): When she last met representatives of business and trade unions to discuss the implications of the Budget for Scotland. [155169]

The Secretary of State for Scotland (Mrs. Helen Liddell): I have regular meeting with members of the business community and trade unions in Scotland to discuss a wide range of issues, including the positive impact that this Budget has had in Scotland.

Mr. Browne: Is my right hon. Friend aware that, immediately after the Budget, in my local newspaper, the *Kilmarnock Standard*, local business men welcomed the measures announced in the Budget for the regeneration of areas of high deprivation? What consultations has she had with my right hon. Friend the Chancellor about the implementation of those measures in Scotland? As they are to be applied from a £1 billion budget on a ward-by-ward basis, will she tell us what criteria will be applied to determine which wards will receive funds from this substantial investment?

Mrs. Liddell: As my hon. Friend is aware, I recently visited his constituency and was much impressed by the job action teams and the incentives that exist to target help towards specific areas. These matters have been discussed with the Chancellor, and in relation to the targeting, we will take as our example much of the useful work being done in East Ayrshire and in my hon. Friend's constituency. We shall also consult widely.

Sir Robert Smith (West Aberdeenshire and Kincardine): In the Secretary of State's discussions with businesses and the trade unions, does she explain to the businesses why the Chancellor insists on making the tax system more complex every year, adding more burdens on the businesses that have to try to administer it? At the same time, does she have an explanation for them as to why vital spending on public services such as hospitals and education was cut in the first two years of her Government? Even by their third year, the block grant was still some £200 million less in real terms than that left for spending in Scotland by the outgoing Conservative Government.

Mrs. Liddell: The hon. Gentleman should be aware that we said before we were elected that, for the first two years, we would stick with Tory spending limits so that we could correct the mess that the economy was in. As a result of the economic policies pursued by this Government, we have been able to secure £3.4 billion extra in public spending in Scotland, and in his recent Budget my right hon. Friend the Chancellor was able to put an additional £200 million to good use in Scotland.

The hon. Gentleman fails to realise that corporation tax in this country is now at an historically low level and if we take all employer taxation in the United Kingdom together and compare it with that of our European partners, we have a lower rate even than Germany or France. Sound economic policies on the part of the Government mean that we are moving away from the boom and bust of the previous Administration and avoiding the fantasy economics of some other parties that serve in this House.

Mr. Calum Macdonald (Western Isles): Is my right hon. Friend aware that Glasgow nautical college is now recruiting more than 1,000 cadets a year for training as officer cadets in the Merchant Navy? That is in large part due to the incentives provided by the Government in successive Budgets. Will my right hon. Friend join me in welcoming that big increase in recruitment and in encouraging young people all over Scotland to look to the British Merchant Navy for a worthwhile living?

Mrs. Liddell: My hon. Friend makes an important point, and I know how important it is for his constituency that there should be so many new recruits to the Merchant Navy, and, indeed, to the Royal Navy. It is a sign of the well-rounded nature of our policies that we can point to successes in every part of the economy. I am sure that there will be great rejoicing in my hon. Friend's constituency that the merchant fleet is now expanding.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): In the Secretary of State's discussions, were the badly designed climate change levy and the ill-conceived aggregates tax mentioned? Will she attempt to quantify the job losses in manufacturing and quarrying resulting from those taxes? As the aggregates tax is

designed to be a flat-rate UK tax, and Scottish quarrying products tend to be of lower value than those elsewhere, is it not, in effect, a poll tax on Scottish quarrying?

Mrs. Liddell: It is good to see the hon. Gentleman in his place. It must be that time of year again. We shall be expecting to see the Loch Ness monster soon. The only difference is that the Loch Ness monster is around rather more frequently than the hon. Gentleman.

I have watched with interest recent statements on the environment from the hon. Gentleman's party. The Scottish National party seems to be turning its back on the environment—indeed, there seems to be an international trend in that direction. The Government's economic policies strike a balance that takes into account the needs of the environment, as was shown in my right hon. Friend's Budget a month ago. The hon. Gentleman's party cannot have its cake and eat it. It cannot say that it wishes to reduce fuel taxes, for example, while claiming to be the friend of the environment.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): Notwithstanding the excellent Budget and its importance to all in Scotland, my right hon. Friend will agree that there are grave concerns about the tourism industry in Scotland because of the impact of the foot and mouth outbreak. Will she repeat the Government's message that Scotland is very much open for business and a safe travel destination, as that is vital to the tourism industry? Will she confirm that we are considering initiatives in Scotland, Europe and north America in particular to promote tourism in Scotland?

Mrs. Liddell: My hon. Friend makes an important point: we must say again and again that Scotland is open for business. Those of us who were in Scotland yesterday know that it is looking particularly beautiful. My right hon. Friend the Member for Central Fife (Mr. McLeish), the First Minister, is in the United States promoting the Scottish tourism industry and we have worked with the Scottish Executive who have put together a package to assist the tourism industry, especially in Dumfries and Galloway.

I call on all hon. Members who are looking forward to the Easter recess to bear it in mind that Scotland has a great deal to offer and is open for business. We support the "Come back to the countryside" campaign and it is important for the health and well-being of our tourism industry that we have a good season. All hon. Members can do their bit to help.

Mr. John Bercow (Buckingham): The Secretary of State's complacency is both unwarranted and stomach turning. Why does not she simply own up to the fact that nothing in the 2001 Budget remotely atones for the facts that the Government introduced no fewer than 3,865 regulations in 2000, adversely impacting on Scottish business; that small business owners are, on average, spending an extra six hours a week complying with red tape; and that the director general of the British Chambers of Commerce concludes that the Government are dramatically increasing the regulatory burdens that threaten small business?

Mrs. Liddell: We have a Tory getting to his feet in the House at Scottish questions to talk about atonement. The Conservative party was responsible for the rape of our industrial heartlands, but the hon. Gentleman comes to the House to talk about atonement. I regularly meet Scottish businesses and I know the extent to which they recognise what the Government have achieved for Scotland in terms of stability after the boom and bust of the Conservative party and our competence in the face of the incompetence of the Conservative party.

The hon. Gentleman should use his Easter recess to come to Scotland where he will see the lowest levels of unemployment, the highest levels of employment and a business community that works in partnership with the Government and the Scottish Executive to build a Scotland for the 21st century and to get over the disgrace of the policies of the previous Administration.

Mr. Frank Roy (Motherwell and Wishaw): May I tell my right hon. Friend that pensioners in my constituency are happy with the results of the Budget: a free TV licence and a £200 winter fuel allowance? When does she intend to discuss with the Scottish Conservative party its plans to abolish those much-needed gains?

Mrs. Liddell: That is a good point. My constituency is adjacent to my hon. Friend's and the £200 winter fuel allowance was greatly welcomed by my constituents. It is interesting that the Scottish National party was talking about a cold weather allowance in 1997—one of £9.20. The £200 that has gone to many pensioners in my constituency and that of my hon. Friend is probably the biggest sum that many of them have had in their hand at any one time. It is safe under this Government; it certainly would not be safe under the Opposition in either guise, be it Conservative or Scottish nationalist.

Mr. Dominic Grieve (Beaconsfield): Talking of budgets, which represent the season of the year that brings the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) to the House, and the block grant, which is spent in Scotland after a vote by the House, when will the Government publish the guidelines for the coming general election in respect of how the Scottish Executive and other devolved bodies will deal with announcements about local expenditure during the campaign? We understand that such guidance is being prepared. When will it be produced?

Mrs. Liddell: My initial response is to ask what the hon. Gentleman is frightened of. I have the impression that he is frightened of the competence of the Scottish Executive, working in partnership with the Government here at Westminster.

We have shown the strength of partnership, and its value to the whole Scottish economy. At any forthcoming general election—and we have from now until May 2002 to prepare for one that may come at any time—I shall be happy to put before the Scottish people this Government's record of improving economic conditions in Scotland, and bringing social justice to Scotland. I should be more than happy to contrast that with the social division represented by the hon. Gentleman's policies.

Mr. Grieve: That answer was profoundly unsatisfactory. The question was very simple. When elections to the Scottish Parliament were held, guidelines were issued about how the Government here should react and how the civil service should conduct itself. When shall we see such

guidelines for the general election—or are we to assume that the current attitude is not what we would expect of a Government and a civil service, but what we would expect of a Maxwell corporation?

This is a serious issue. I ask the right hon. Lady to assure the House that the guidelines will be issued, and issued in sufficient time for the matter to be properly considered.

Mrs. Liddell: The hon. Gentleman is obviously not aware that we have until 2002 before a general election need be called in Scotland. We are getting on with the business of building a better Scotland.

The hon. Gentleman mentioned the late Robert Maxwell. Perhaps he and his hon. Friends will tell the House about the role played by prominent Conservatives such as the late Michael Havers, whose desk I inherited when I went to try and sort out the mess, and the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who could have done much to help the Maxwell pensioners but whose heels we could not see for dust.

Labour has delivered for pensioners. Indeed, 900,000 pensioners in Scotland will benefit directly as a consequence of the Chancellor's Budget.

Chester Street Holdings

2. **Mr. Tony Worthington** (Clydebank and Milngavie): What discussions she has had with the Chancellor of the Exchequer on the collapse of Chester Street Holdings and its implications for sufferers from asbestos-related diseases in Scotland; and if she will make a statement. [155170]

The Secretary of State for Scotland (Mrs. Helen Liddell): I am well aware of the difficulties relating to Chester Street. I have had discussions with my right hon. Friend the Chancellor, and also with my right hon. Friend the Chief Secretary to the Treasury. We well understand the concerns of those who are suffering from asbestos-related diseases, and we are working very hard across government and with the insurance industry to alleviate those concerns as far as we possibly can.

Mr. Worthington: I thank my right hon. Friend for her active involvement. Her record on pensions mis-selling gives great credibility to her efforts.

As my right hon. Friend knows, I believe that our first duty is to the sick and dying: they must be paid full compensation, and not lose out because of Chester Street. Is it not appalling, however, that Mr. Robert Hardy, chief executive of both Iron Trades and Chester Street, should have sold Iron Trades to QBE for less than its book price, then joined it as chief executive and taken £1 million out of his various firms? Is that not disgraceful, and does it not demonstrate that we need a full independent inquiry into this sorry matter?

Mrs. Liddell: I congratulate my hon. Friend on the campaign that he has waged on behalf of sufferers from asbestos-related diseases for so many years. The last thing anyone needed was the scandal of the collapse of Chester Street, and I share his anxiety about some of the activities that went on.

The provisional liquidator is examining the state of Chester Street. It will be for the provisional liquidator, in the first instance, to investigate what went on in Chester Street. If he turns up anything that gives rise to further inquiries, the Government will not hesitate to pursue them.

Mrs. Ray Michie (Argyll and Bute): I commend the efforts of the hon. Member for Clydebank and Milngavie (Mr. Worthington) to sort out the appalling situation involving Chester Street.

May I draw the Secretary of State's attention to a recent letter from a constituent? She is a widow living alone, whose husband died in 1997 from an asbestos-related disease. Her claim has still not been dealt with. Will the Secretary of State ensure to the best of her ability that any necessary inquiry or investigation will not delay or stand in the way of those who have suffered and should be receiving compensation?

Mrs. Liddell: The hon. Lady is right. We all have a great desire to find out what happened in relation to Chester Street and who was responsible for it happening, but we must have a twin-track approach. We must not only find out what happened, but protect the sufferers.

I am very concerned that the provisional liquidator has been able to find only 5p in the pound to meet the claims; I find that very disturbing. I am also concerned about people whose cases relate to before 1972 because they are not covered by any of the existing schemes. We are working hard across government to find routes to assist those people. It is not an easy matter. I have spoken to senior people in the insurance industry, too. They are as appalled as we are at what has happened. We will not rest until we find a way forward. It will not be easy, but the hon. Lady has my commitment that we will do everything possible to help her constituent and others who are affected.

John Robertson (Glasgow, Anniesland): I congratulate my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) on his excellent work following the Chester Street collapse. My hon. Friends the Members for Dumbarton (Mr. McFall) and for Greenock and Inverclyde (Dr. Godman) and I were impressed by his speech at the rally on Saturday. He did an excellent job for the people. Sufferers in Anniesland would like to thank him personally for that. What steps are the Government taking to ensure that the insurance industry meets its responsibilities in respect of pre-1972 claimants?

Mrs. Liddell: Some of the issues involved relate to whether individuals are covered by any other insurance company. Where an individual was with an employer who was insured only through Chester Street, there is a significant difficulty. If, however, the individual's employer was insured with another company as well as Chester Street, the other company will meet the liability.

I know my hon. Friend's constituency. Many of his constituents will have worked for British Shipbuilders. That company will acknowledge all liability in relation to victims of asbestosis, but all of us recognise that not everyone is covered. We must find out the full information and find the best way in which to help them.

Scotland Act

3. **Mr. Michael Fallon** (Sevenoaks): What representations she has received from the First Minister concerning borrowings under section 66 of the Scotland Act 1998. [155171]

The Minister of State, Scotland Office (Mr. George Foulkes): My right hon. Friend the Secretary of State has received no representations from the First Minister concerning borrowings under section 66 of the Scotland Act 1998.

Mr. Fallon: If the rest of the public sector in Scotland were to follow the example of teachers in receiving higher pay awards than their counterparts in England, beyond the tolerance of the Barnett formula, would the Minister expect that difference to be financed by the use of tax-raising powers before any recourse to borrowing?

Mr. Foulkes: The question is a pretence because it is nothing to do with section 66, which relates to meeting a temporary excess of sums paid out of the Scottish Consolidated Fund or providing a working balance for the fund, and which is repaid. A lot of nonsense is spoken about teachers' salaries north and south of the border, not least by the hon. Gentleman. Let me give some facts. New Scottish teachers appointed at the beginning of the 2001–02 school year will start at a salary of £16,005. Newly qualified teachers in England and Wales start at £17,001. Experienced teachers in Scotland at the top of the main scale will be paid £25,644 from April 2001 and in England and Wales the sum will be £24,965. There is a different structure. There are swings and roundabouts. The hon. Gentleman has never been in favour of devolution. He is now trying to undermine it. He will not succeed.

Mr. David Marshall (Glasgow, Shettleston): Does the Minister agree that the Barnett formula is a transparent, fair and stable way of financing Scotland that has served both the United Kingdom and Scotland well for almost three decades? Does he further agree that those who seek its scrapping do so not in the best interests of Scotland, but in the hope of stirring up trouble between the UK Government and the Scottish Executive? Will he therefore confirm that the Government have no plans to scrap the Barnett formula?

Mr. Foulkes: My hon. Friend is absolutely right. I could not have said it better myself. The Barnett formula is transparent, fair and stable. It allows the Scottish Parliament to decide its own priorities within a finite budget. That is the important thing. Opposition Members in different parties are mischievous and are working together in a common cause to try to undermine devolution. As I have said, they will not succeed. The Barnett formula is working successfully and we have no plans to change it.

ADVOCATE-GENERAL

The Advocate-General was asked—

Devolution Issues

24. **Mr. Eric Joyce** (Falkirk, West): If she will make a statement on her role in devolution issue cases to be heard before the Privy Council. [155194]

The Advocate-General for Scotland (Dr. Lynda Clark): My role in cases in which I intervene is to present arguments from the perspective of the United Kingdom Government. The Judicial Committee of the Privy Council is the highest domestic court for devolution issue cases. Such cases may raise issues involving human rights, European law or legal aspects of the devolution settlement under the Scotland Act 1998 that are of importance to the whole United Kingdom.

Mr. Joyce: I am often asked by my constituents as I go round my constituency whether it is necessary for the Advocate-General to appear before the Privy Council, and, if so, whether that takes up much of her time. What should I tell them?

The Advocate-General: I am delighted that my hon. Friend's constituents take such an interest in my interventions. Personal appearance by the Advocate-General in cases in the Privy Council is not a legal requirement under the 1998 Act, but it is certainly useful, and, I hope, helpful to the court, to have a responsible Law Officer available to present legal arguments in that new and developing sphere of law. It does take a lot of time. As some of my hon. Friends will know, a great deal of preparation time is required for legal research, and there are both conferences and days in court. I have therefore limited my personal appearances to cases that are more complex or involve interesting or novel points. However, if any of my hon. Friend's constituents wish to speak to me personally about the matter, I would be delighted to do so.

Mrs. Eleanor Laing (Epping Forest): Could the hon. and learned Lady give the House some indication of the annual cost to the taxpayer of investigating and resolving devolution issues both in the Privy Council and in other places?

The Advocate-General: The cost of the Advocate-General's appearances are subsumed in the general budget, and we have not done a case-by-case analysis. However, I assure the hon. Lady that it is probably cheaper to have me appearing as Advocate-General than it would be to instruct me as counsel.

Legal Aid

25. **Mr. Desmond Browne** (Kilmarnock and Loudoun): If she will make a statement about the implications of the Human Rights Act 1998 for fixed fees in legal aid. [155195]

The Advocate-General for Scotland (Dr. Lynda Clark): My hon. Friend may be aware that a case on the subject of legal aid is due to be heard by the Judicial Committee of the Privy Council on 25 and 26 April. The case concerns fixed payment levels under the criminal legal aid regulations in Scotland, and it is argued that such a system is incompatible with article 6 on the right to a fair trial. I have intervened in the case so far to make written submissions to the Judicial Committee.

Mr. Browne: As my hon. and learned Friend will be aware, in the longer term, it is intended to address issues of exceptional cases in legal aid by the mechanism of regulations made under the Convention Rights (Compliance) (Scotland) Bill which is currently before the Scottish Parliament. As she invariably ends up arguing the difficult cases before the Judicial Committee of the Privy Council, what discussions have there been between her as Advocate-General and the Scottish Executive on the shape of those regulations?

The Advocate-General: The merits of the case to which I have just referred have still to be determined. However, on the general issue raised by my hon. Friend, I am pleased to say that there is a great deal of discussion on policy matters of common interest between policy officials and Ministers in United Kingdom Departments and those in Scotland. As Advocate-General, I have also encouraged my lawyers to have discussions on relevant legal issues as soon as possible to try to sort out any specific difficulties.

European Convention on Human Rights

26. **Miss Anne McIntosh** (Vale of York): What recent advice she has given on the implications of the European convention on human rights; and if she will make a statement. [155196]

The Advocate-General for Scotland (Dr. Lynda Clark): When requested, I give advice as a UK Law Officer on various matters, which include issues related to the human rights convention.

Miss McIntosh: The hon. and learned Lady will recall the advice that she gave on a recent road traffic case involving the right to remain silent under the Human Rights Act 1998. Does she share my concern that whereas road traffic cases were previously dealt with uniformly under Scots and English law, there may now be a difference of interpretation across the border?

The Advocate-General: I appreciate the hon. Lady's interest in the matter, but I am not sure that I agree with her. The whole point of taking a matter to the Privy Council is to have it determined by the highest court. Regard will be given to the Privy Council's rulings in English courts as well as those in Scotland.

Devolution Issues

27. **Mr. John McFall** (Dumbarton): In what proportion of the devolution issue cases referred to her she has intervened to date. [155197]

The Advocate-General for Scotland (Dr. Lynda Clark): Of the 1,237 devolution issues cases intimated up to 22 March of this year, I have intervened in 19, or approximately 1.5 per cent. Many cases involving devolution issues raise similar points and are dealt with satisfactorily by the lower courts. Generally, I intervene at appeal or Privy Council level where the case raises important issues for the UK as a whole. I examine every devolution issue intimated to me before determining whether or not to intervene.

Mr. McFall: Does my hon. and learned Friend agree that that illustrates that the relationship between the Scottish Executive and Westminster is working, and that it confounds the critics of all parties who are sceptical and do not want the arrangement to work? Does she also agree that their criticism has been thrown back in their faces, and that the relationship is healthy, vibrant and dynamic?

The Advocate-General: I am pleased to confirm that there is a high level of discussion and co-operation in the legal offices, as there is across the board, in relation to policy matters. The devolution settlement is working, and I hope that I will be able to play a small part in helping it to continue to work.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Guardians Ad Litem

28. **Dr. Vincent Cable** (Twickenham): If she will make a statement on the Lord Chancellor's proposals for reforming the funding of the courts' guardians ad litem. [155198]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): We plan to increase the funding for self-employed guardians' fees by 3.8 per cent. this year. We have proposed new contracts incorporating graduated fees to distribute this increased funding in a way that preserves self-employed status for those guardians who want it.

Dr. Cable: The profession of guardian is a very important one and it is crucial for some of the most vulnerable people in society—the 10,000 children who appear in court during care and adoption proceedings. Is the Minister aware that the profession is incensed at the way in which the Department's accountants, prompted by the Inland Revenue, have introduced a fixed-fee system that is completely insensitive to the necessity that guardians adapt their work to the needs of the individual case? Will she agree to retract the proposal and consult the profession, whose members have not yet been consulted? Will she introduce a more effective scheme to protect both children and members of the profession?

Jane Kennedy: I do not accept the hon. Gentleman's description of the current circumstances. The new Children and Family Court Advisory and Support Service has offered a six-week delay to allow for further consultation. It has offered enhanced graduated fees in the most difficult cases, as well as an independent review both

of the banding criteria and of the quality of service delivered to children after six and 12 months under the new system.

I do not accept that the only way, in the interests of children, to remunerate guardians is according to an hourly rate, which is the case advanced by the guardians. I do not accept either that the quality of services delivered necessarily increases with the number of hours worked. Time spent and quality delivered are not the same thing. Fair graduated fees will co-exist with quality standards. I am confident that, when they have had time to consider the proposals further, the guardians will see that they are fair.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): One hazard with what my hon. Friend has just said is that the guardians are absolutely essential, and are self-employed. They are very worried about the proposed scheme, which was supposed to have been introduced at the beginning of this month. Does my hon. Friend accept that it is essential that the Department reconsider the proposals carefully, as it would be bizarre to lose the services of a great many skilled people who are desperately needed just because of a rather absurd decision that cannot be defended by reference to any consultation?

Jane Kennedy: My hon. Friend is mistaken. In fact, 111 of the guardians are not self-employed, but are employed directly by the panel. We inherited 57 different rates and allowances applicable to self-employed guardians, and that was one of the key problems identified by the Inland Revenue. The ways in which those rates and allowances apply in the guardian service are incompatible with self-employed tax status. The Department brought forward the proposals for a graduated fee structure to ensure the continued availability of self-employment as an employment status. It is a fair structure, and there is no diminution of the funding available for these services. I am confident that once the guardians have seen the details of the proposals they will accept what is on offer.

Family Graduated Fees Scheme

29. **Sandra Gidley** (Romsey): If he will make a statement on the family graduated fees scheme. [155199]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): The family graduated fees scheme and the rates to be paid have now been settled. The scheme will pay barristers set fees for different functions within a case, which will vary according to the category of family work. The fees can be increased to reflect complexity.

The regulations to bring the scheme into force were laid before Parliament on 20 March. The scheme will be implemented from 1 May.

Sandra Gidley: I welcome the changes and improvements to the original scheme, but family law barristers still have concerns about the current scheme. First, they are paid on a different basis from solicitors—who are still paid hourly—and wish to see an integrated scheme. Secondly, there is real concern that the longer, more complex cases will not be adequately rewarded and that those arguably most in need will not receive the representation that they deserve. I share the concern that those most in need will not receive representation. Will the Minister undertake to review the scheme in 18 months' time to see how it is working and to ensure that there has been no reduction in the services available to those most in need?

Mr. Lock: I agree in principle that counsel and solicitors should be paid the same rate for the same type of work. However, solicitor-advocates may not always play the same role as barristers in family work, and that needs to be considered. We want to achieve a level playing field. We are confident that the rates we have set are more than adequate and appropriate for the job. We are confident that there is a proper supply of well-qualified barristers to do the work that the hon. Lady has identified, and we will, of course, keep the matter under review.

Mr. Stephen O'Brien (Eddisbury): What mechanism is the Minister putting in place to ensure that, following this part of the reform of the funding of the legal system, there is an audit comparing past and current provision of proper access to justice for all, as it is suggested that, as a result of the changes, some of the poorest in our society will be denied access to justice?

Mr. Lock: I find that quite astonishing. I have just been able to announce that legal help is now available for a further 5 million people as a result of the reforms and controls that this Government have introduced. That contrasts sharply with the way in which legal aid expenditure was treated under the previous Government. They cut millions of people out of receiving legal aid, instantly denying them access to justice.

Lay Magistracy

30. **Mr. Michael Fabricant** (Lichfield): What her policy is on maintaining the lay magistracy. [155200]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): I refer the hon. Gentleman to my reply to the hon. Member for Chipping Barnet (Sir S. Chapman) on 6 March 2001, *Official Report*, column 210W.

Mr. Fabricant: Hardly. After all the closures of magistrates courts that we have witnessed up and down the land, including my own—which had lasted for 600 years until this Government came into power—what assurance can the Minister give lay magistrates that they will not be replaced by stipendiary magistrates?

Jane Kennedy: I simply offer the same assurance that I have given on many occasions in the House. The Government recognise the valuable role and service that the lay magistracy offers to society. Their civic responsibilities are very wide. We admire the work that they do and we are confident that they will continue to do that work long after the hon. Gentleman has retired.

Mr. David Taylor (North-West Leicestershire): As a member of the Magistrates Association, I am delighted to hear the Minister again spell out her robust support for the lay magistracy. Nevertheless, there remain concerns which I hope she will be able to lay to rest about the

delays in the publication of the Auld report. Are those delays linked to the views of the Home Office, which is thought to be less charitable and positive about the lay magistracy? It is thought that the Home Office may have a secret agenda to do what the hon. Member for Lichfield (Mr. Fabricant) has articulated.

Jane Kennedy: I would seek to reassure my hon. Friend by saying that Lord Justice Auld is currently drafting his final report, which will be published as soon as it is available. It would be premature to comment on the review before it has been completed, but Lord Justice Auld published a resumé of his early findings last year in which he foresaw a continuing role for the lay magistracy.

Mr. John Burnett (Torridge and West Devon): As a result of court closures in Devon and Cornwall, there have unfortunately been a number of resignations from the lay magistracy. I hope that the Minister agrees that we need a representative lay magistracy. It is much to be regretted that a young mother in my constituency has had to resign as a lay magistrate because she is unable to afford three hours per day travelling to the court in Plymouth. Are any steps being taken by the Government to assist magistrates, witnesses and other court users to get to the large city courts, now that the Government have closed so many magistrates courts in our local rural towns?

Jane Kennedy: There are more than 30,000 magistrates across England and Wales. I am sorry to hear of the resignation of the lady whom the hon. Gentleman mentioned, as it is always to be regretted when a magistrate feels that they cannot continue their service. However, the recruitment of lay magistrates is a matter for the local lay magistrates to determine and they review their recruitment requirements regularly. Clearly they will follow carefully the representations that the hon. Gentleman has made and I will look into the case that he has mentioned.

Mr. Simon Thomas (Ceredigion): Following the closure of two magistrates courts in my area, lay magistrates have told me of the difficulty that they will have travelling one hour to court and one hour from court. Will the Minister make an assessment of the Government's policies on maintaining the lay magistracy? Will she review the assessment of those policies if they can be demonstrated to have an adverse effect on the reach, accountability and scope of magistrates?

Jane Kennedy: Obviously I will give that undertaking and I will continue to keep the recruitment and retention of magistrates under review. I was pleased to see the hon. Gentleman and other colleagues at our meeting on 19 March to discuss the local proposals that the magistrates courts committee is considering. All representations have been carefully noted and the committee locally will continue to consider responses to the consultation exercise as it proceeds. The committee will be responsible for maintaining recruitment and retention of benches locally.

Mr. Nick Hawkins (Surrey Heath): Having heard today of the closure of courts in the west country, in Staffordshire—from my hon. Friend the Member for Lichfield (Mr. Fabricant)—and in Wales, does the Minister recognise that although she comes to the Dispatch Box month after month, smiling sweetly and talking fine words about keeping the magistrates going, there is friendly fire from her hon. Friend the Member for North-West Leicestershire (Mr. Taylor), who has mentioned the Home Office's not very well hidden agenda to undermine the lay magistracy? Are not the Government imposing huge costs—as we warned—as a result of the Human Rights Act 1998? The Act states that prisoners cannot be seen handcuffed because that is somehow inhumane and somehow equates to torture. Is not that undermining magistrates courts and causing them to close? The Minister's fine words are incapable of being believed.

Jane Kennedy: My fine words and sweet smile, as the hon. Gentleman describes them, contrast with the fine rant that he brings to the Chamber. The Government's policy is that the magistrates courts are best managed locally by the magistrates courts committee under the provisions of the Justices of the Peace Act 1997.

County Courts

31. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the planned closure of county courts in England. [155201]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): The court service operates 220 county courts at present. We anticipate that the consultation process as a result of the managing the civil courts programme will result in a substantial increase in the number of locations at which county courts can serve their local communities.

Mr. Brady: I am grateful to the Parliamentary Secretary for his reply and I am encouraged by its the content. Can he assure the House that in assessing responses to the consultation paper on modernising the civil courts, he will make it clear that the local delivery of justice and not cost will be the overriding objective?

Mr. Lock: I have just explained that we are planning to deliver county court services in an increased number of locations. The hon. Gentleman must understand that, on the principle of full cost recovery, it is the court users who pay for the cost of running the system. It would not be fair to those users to operate courts in locations where there is not sufficient demand. We will take every care to meet local demand as we expand the number of hearing centres where county courts are able to sit, but finance will have to be a consideration.

PRESIDENT OF THE COUNCIL

The President of the Council was asked—

University Visitor Jurisdiction

42. **Mr. John Bercow** (Buckingham): If she will make a statement on her role in respect of the jurisdiction of visitor in respect of certain universities. [155215]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I act, on the Queen's behalf, as visitor of 17 universities and colleges. I receive petitions mainly from students and former students with complaints or grievances who have exhausted the institutions' complaint or appeal procedures.

Mr. Bercow: The right hon. Lady says that she has responsibility for inspection, regulation and dispute settlement in respect of no fewer than 17 universities, which thankfully is five more than come under the aegis of the accident-prone Lord Chancellor. How many has she visited, how many have sought her agreement to changes in their constitutions and how many disputes has she been asked to settle? In respect of that last question, where conciliation is required, may I offer a helping hand?

Mrs. Beckett: I cannot tell the hon. Gentleman off hand how many of the institutions I have visited. I doubt whether it is all that many. I cannot tell him from memory how many have sought changes to their constitutions, as there are frequent changes, but I can certainly write to him about that.

Last year, we dealt with 21 disputes. So far this year, there have been about a dozen.

I am grateful to the hon. Gentleman for his offer of mediation. I strongly support alternative dispute resolution methods. We are authorising cases under the pilot mediation scheme and are hopeful that some students will take that course rather than going straight to the formality of the present procedures.

HOUSE OF COMMONS

The President of the Council was asked—

Parliamentary Data and Video Network

44. **Mr. Michael Fabricant** (Lichfield): If she will bring forward proposals to the Select Committee on Modernisation of the House of Commons to improve hon. Members' access to the PDVN system. [155217]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Select Committee on Modernisation of the House of Commons is indeed keeping the use of information technology by hon. Members under review. The Information Committee also has an important role in that respect.

Mr. Fabricant: Does the Minister accept that it is important in the 21st century for Members of Parliament to be able to access their e-mails and the internet not only within the Parliamentary Estate but remotely, from their homes and constituencies? I congratulate members of the Parliamentary Communications Directorate on the work that they do, but does the Minister accept that people trying to access the House of Commons facilities remotely are finding it difficult because of the limits of the technical resources that are available? Many people feel that that is because of a restricted budget. What can the hon. Gentleman do to ensure that we have a 21st-century internet and e-mail system for a 21st-century Parliament?

Mr. Tipping: I agree that the employees of the Parliamentary Communications Directorate work hard and do an excellent job. I also agree that it is important that all Members of Parliament, whether at Westminster, at home or in their constituency, should have equality of access, which is not the case at present. Budget is an issue, but so is change management. I hope that steps will be taken in the not too distant future to make changes that will be for the benefit of all hon. Members and, more particularly, their constituents.

Mr. Andrew Miller (Ellesmere Port and Neston): May I, on this rare occasion, endorse the words of the hon. Member for Lichfield (Mr. Fabricant)—especially in relation to the staff of PCD, who do a tremendous job? My hon. Friend will be aware that many of the issues raised by the hon. Gentleman may be addressed if the House adopts the recommendations of the Senior Salaries Review Body report. Will he put on his other hat, and find time for an urgent debate on that before Easter?

Mr. Tipping: My hon. Friend is quite right that the SSRB report makes very interesting reading. It puts great weight on the consideration of information technology. I will put on my other hat and remind my hon. Friend that this matter is for the House to decide, but I also point out that there are a great many demands on time in the House. I am conscious of the fact that the issue is real and pressing; I note what he says.

Mr. Ian Bruce (South Dorset): The hon. Gentleman has surely noticed that the programme to which we were working—with a general election to be held on 3 May—has changed. We have a whole extra month to fill up, so the excuse that we could not find enough time to deal with the SSRB report has disappeared. Will the hon. Gentleman please agree with my hon. Friend the Member for Lichfield (Mr. Fabricant) and the hon. Member for Ellesmere Port and Neston (Mr. Miller) that we now have time? When are we going to get this done?

Mr. Tipping: I am grateful for the interest that the hon. Gentleman takes in such matters. He has pursued the issue hard both in the Chamber and outside. I do not dispute the need for change.

I know nothing about timetables for general elections—3 May or any other date—but I know that a great deal of business has to come before the House. This is one issue; I hope that we shall be able to address it in the not too distant future.

Parliamentary Reform

45. **Mr. Andrew Mackinlay** (Thurrock): What further proposals she plans to bring before the Select Committee on Modernisation of the House of Commons on parliamentary reform; and if she will make a statement. [155218]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The Committee has initiated several important experiments in the way the House works—Westminster Hall sittings, the hours of Thursday sittings, programming and deferred voting. The Committee will look at other matters such as the use of IT, but the priority must be to keep those experiments under review.

Mr. Mackinlay: I am pleased that we are to look at other matters. May I invite the Leader of the House—albeit out of season—to consider the long summer parliamentary recess during which there is no scrutiny and no accountability by this place? Often, disasters occur which would normally mean statements at the Dispatch Box. We commit our armed forces to combat situations about which there would normally be statements at the Dispatch Box. There is summitry about which there would normally also be statements at the Dispatch Box. After each summer recess, may we have a written report from each Minister of his or her stewardship during the closed period and a statement from the Prime Minister, when Parliament reconvenes, about what has passed during those long summer weeks of recess?

Mrs. Beckett: With respect to my hon. Friend, we do not commit our armed forces every summer recess, although I appreciate that it has happened occasionally. My hon. Friend makes a serious point. The Government take steps to keep the House and the country informed. As to the precise mechanism that my hon. Friend suggests for so doing, I do not undertake to agree to it, but I certainly undertake to give it consideration.

Mr. Paul Tyler (North Cornwall): Will the right hon. Lady find an opportunity for the House to review the trial arrangements for programme motions in the Chamber and in Committee? She will be aware that her Committee published a new report on the issue yesterday. I think that she will acknowledge that the report owes its genesis to the right hon. Member for East Devon (Sir P. Emery) who, during this Parliament and previous Parliaments, as Chairman of the Select Committee on Procedure, has been anxious to improve the way in which the House scrutinises legislation. It was very much on his initiative that the new report was produced.

The right hon. Lady is also aware that there is cross-party agreement on that admirably brief—one-page—report, although the Committee was not unanimous. As the unexpected weeks available for good business in the House give us an opportunity to do so, can the House itself now debate the issue, to ensure that, if and when there is an election, the new Standing or Sessional Orders in the new Parliament can take account of the Committee's advice?

Mrs. Beckett: Certainly, I recognise the points that the hon. Gentleman makes. He is entirely right that the recent, brief report received cross-party support. One might almost say all-party support, although he is right, too, to point out that the report was not unanimous. He is also right to pay tribute to the work of the right hon. Member for East Devon (Sir P. Emery) who, down the years, has certainly made a substantial contribution to the House—not least, perhaps, during these past days in making the report.

I have noticed that during the past couple of days a whole raft of issues has been raised for which it is confidently predicted that it will be easy for the Government to find time. As ever, I shall give what favourable consideration I can to those matters, but the purpose of the report to which the hon. Gentleman refers was indeed to encourage reconsideration of the trial. The need for new Sessional Orders will in any case make that necessary.

Mr. David Winnick (Walsall, North): May I suggest one parliamentary reform, namely to try to stop the practice whereby, from time to time, a Government Whip comes marching in with a stick? At one time he would have walked backwards. Is it really necessary? I have written to my right hon. Friend on the subject. Does she not agree that just as Black Rod no longer interrupts our proceedings when it is necessary to state that an Act has become law, messages from Her Majesty could be read out by the Speaker? Why on earth do we have this pantomime performance in the 21st century? Wakey, wakey!

Mrs. Beckett: My hon. Friend is entirely right to say that he has written to me on the matter, and I am compelled to tell him that it is more a matter for the Procedure Committee than for me. I understand his point, but he will know that there are different views on the matter throughout the House.

Mrs. Angela Browning (Tiverton and Honiton): Mercifully, there will probably be only one more meeting of the ghastly Modernisation Committee before the general election. Following the right hon. Lady's comments, I should perhaps put it on record that although the report published yesterday had the support of two of my colleagues, it certainly does not have the support of the official Opposition.

Returning to the question asked by the hon. Member for Thurrock (Mr. Mackinlay), has the right hon. Lady considered the inappropriateness of a Cabinet Minister, and the Leader of the House at that, chairing a Committee that changes and proposes amendments to the Standing Orders of the House which affect Back Benchers on both sides of the House? In her reflections on the so-called wonderful experiment that we have had to endure for the past four years, has she considered giving the chairmanship to a representative from the Back Benches rather than herself?

Mrs. Beckett: The hon. Lady is her usual gracious self. She is right to place on record the fact that the report to which the hon. Member for North Cornwall (Mr. Tyler) referred did not attract the support of the official Opposition, but it is also right to place on record the fact that it did attract the support of two of the most senior and experienced Conservative Members. With regard to the hon. Lady's remarks about inappropriateness, she will know that it was this party's manifesto proposal that there should be a Select Committee on modernisation of the House and that it should be chaired by the Leader of the House. As I have pointed out to her before, it is not unprecedented for a Select Committee to be so chaired. *[Interruption.]*

In light of the comment made by the Opposition Deputy Chief Whip, I shall make only one other enlightening remark on the subject. I have never before thought it

necessary or desirable to do what I am about to do, and I am not sure that it is the right thing to do now, but in view of the words of the hon. Member for Tiverton and Honiton (Mrs. Browning), I should perhaps tell the House of a resolution carried at the end of the Committee's deliberations last week. I accept that the hon. Lady had left the room at that point—perhaps she would have tried to prevent the resolution being carried. The Committee resolved:

"That the Committee pay tribute to the Chairman for the exemplary manner in which she has presided over the Committee's deliberations."

I fear that that was moved by a Conservative Member.

Deferred Divisions

46. **Mrs. Betty Williams** (Conwy): What assessment she has made of the experiment with deferred Divisions; and when it will be reviewed. [155219]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): Deferred Divisions appear to be working well in allowing debate after the moment of interruption without forcing the majority of the House to remain until late into the night to deal with matters of minority interest. There had been 33 deferred Divisions as at 28 March, which is a potential eight and a quarter hours of voting time; in only eight were more than 100 votes recorded in the No Lobby, and in 21, fewer than 20 Members voted in the No Lobby.

Mrs. Williams: Can my hon. Friend confirm that the system will continue in the next Session? Does he agree that the official Opposition do not want serious debate in the Chamber and are intent only on wasting time?

Mr. Tipping: What I can confirm is that the system is an experiment, and it is a matter for the House to decide. I can say candidly to my hon. Friend that I support it. It saves time and is in the best interests of the House. Of course, there is an argument that if some Opposition Members—I stress the word "some"—had not been keen to devote so much time to certain subjects of so little interest, it might not have been necessary for the House collectively to assert its right to protect itself.

Mr. Nicholas Winterton (Macclesfield): I am sure that the hon. Member for Conwy (Mrs. Williams) meant to refer to the next Parliament, rather than the next Session of Parliament, when she asked her supplementary question.

Will the Minister not accept that deferred Divisions may well undermine and negate the influence of Back-Bench opinion on both sides of the House because the influence of Back Benchers' speeches will have been forgotten by the time the Divisions take place, and that good government results from Back-Bench opinion on both sides of the House being properly expressed?

Mr. Tipping: Of course good government depends on exchanging ideas and opinions, and I have spent many happy hours late at night in the Chamber, listening to the debates. Those Members who wish to take part in the debate can, and they frequently do so at length, but I do not think that deferred Divisions have changed the weight of opinion or the importance of Back-Bench opinion.

Points of Order

3.31 pm

Mr. Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. The Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Liverpool, Wavertree (Jane Kennedy), answered Question 30 by referring me to a previous answer, given some time ago. It may not have been out of order, but do you think it proper that she should do that in answer to an oral question, without at least informing me that she was going to do so, thus preventing me from looking up the answer to which she referred?

Mr. Speaker: As the hon. Gentleman well knows, I have no responsibility for the content of ministerial answers. None the less, it is helpful to the free flow of Question Time if an answer is readily understandable by all Members seeking to take part in the exchanges. I will look into the issue raised and write to the hon. Gentleman.

Mr. Patrick Nicholls (Teignbridge): On a point of order, Mr. Speaker. I seek your guidance on a matter that I raised with you on a point of order yesterday—my inability to find out from the Minister of Agriculture, Fisheries and Food the circumstances in which a landfill site in my constituency was to be used to bury carcases. It is now some five days since I wrote to the Minister asking him to tell me what was going on. I have tried writing to him, e-mailing him and sending him post in the normal way. Even though you have never been contaminated by service in government, can you give Back Benchers some guidance on what to do when Ministers simply will not answer letters?

Mr. Speaker: Like the hon. Gentleman, I used to be a Back Bencher, and all I can say is that he must keep pestering the Minister.

Mr. Stephen O'Brien (Eddisbury): On a point of order, Mr. Speaker. There is grave anxiety in my constituency about the proposals on whether to vaccinate. Have you had any indication from the Ministry of Agriculture, Fisheries and Food—or, indeed, from the Prime Minister—on whether they intend to make a statement, given that we were told before last weekend that the Government would take a decision on that very serious issue in the next few days? We have reached that point; my constituents are waiting; and there is deep anxiety about the uncertainty and lack of clarity on this difficult issue.

Mr. Speaker: I can understand the hon. Gentleman's problem, but it is not a matter for the Chair.

Mr. Ian Bruce (South Dorset): On a point of order, Mr. Speaker. Have you had any notice of a Minister in the Department of Health coming to the House to give Members information on food safety? You will remember that the previous Government were criticised in the reports on BSE for dealing with food safety in the Ministry of Agriculture, Fisheries and Food, so food safety was transferred to the Department of Health, which now deals with it; yet in all this crisis, not a single Health Minister has made a statement on food safety issues—which, of course, affect everyone—if only to reassure hon. Members that there is no such problem with foot and mouth.

Mr. Speaker: I am sure that Health Ministers will take note of what the hon. Gentleman says.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Speaker. Have you been asked whether a statement could be made by one of the Ministers in the Department of the Environment, Transport and the Regions about the grant of £1.2 billion to Railtrack? The company has immediately said that it is not enough, but the House of Commons should at least have some idea of what is being proposed.

Mr. Speaker: No application to make a statement has been received.

BILL PRESENTED

ELECTIONS

Mr. Secretary Straw, supported by the Prime Minister, Mr. Chancellor of the Exchequer, Mr. Secretary Prescott, Mr. Secretary Murphy, Mr. Secretary Reid and Mr. Mike O'Brien, presented a Bill to postpone local elections in England and Wales and Northern Ireland, to require polls for different elections in Northern Ireland to be taken together if they are to be taken on the same day, and to make consequential provision: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed [Bill 80].

Graffiti (Control)

3.35 pm

Dr. Jenny Tonge (Richmond Park): I beg to move,

That leave be given to bring in a Bill to prohibit the sale of spray paint to minors; to authorise local authorities to require people subject to community service orders to undertake the removal of graffiti; and for connected purposes.

This Bill follows a debate that was raised by my hon. Friend the Member for Twickenham (Dr. Cable) a year ago, when he was supported by my hon. Friend the Member for Kingston and Surbiton (Mr. Davey). There is tremendous concern about the amount of graffiti in our constituencies; the problem is causing great distress. Graffiti is a form of vandalism to public and private property and it gives the streets an air of desolation and threat, which is frightening, in particular, to the older people who frequently write to us about the problem. The younger people who perpetrate the crime endanger themselves on many occasions by going into railway stations and on to live railway lines in the middle of the night. People have been seriously injured as a result.

Some people argue that graffiti is an art form, and I would accept that some graffiti is. I am well aware that people carry out university dissertations on the subject and, in secret parts of my constituency that only young people can reach, there are some brilliant examples of graffiti art. They are much admired and even photographed.

Most graffiti, however, is just a messy scribble that bears as much relation to art—*[Interruption.]*

Mr. Speaker: Order. May we have some order in the Chamber? The hon. Lady is entitled to speak to her motion.

Dr. Tonge: Thank you, Mr. Speaker. The sort of graffiti that I have described bears as much relation to art as a sheep pickled in formaldehyde. There are scribbles all over our cities—likewise the so-called tags. Tags are the signatures of graffiti artists who go round their neighbourhoods marking out their property rather in the way that dogs pee against lamp-posts. It is a disgusting habit.

In Richmond upon Thames alone, £150,000 was spent in the past year on trying to remove graffiti, but we all know that it is a losing battle. London local authorities combined have spent £10 million in the past year removing graffiti from public places and many private homes—and what a waste of public money that is. How many better classrooms, how many teachers and how much care for the elderly could £10 million provide?

Some 20 per cent. of criminal damage against property each year is graffiti damage, and 900,000 offences in 1999 in the London area were graffiti offences. An officer working in my borough, Inspector Mark Jones, does undercover work to try to catch graffiti artists, and there has been a lot of success recently. Two weeks ago, six graffiti artists were caught red handed—although I do not know what colour the paint was. Inspector Jones has told me that the police would like greater powers to apprehend and search the young people involved. The police know perfectly well where they are going and what they are going to do, but young people just walk away laughing because they know that the police have no powers.

Community service orders in Richmond upon Thames require graffiti merchants to clean graffiti off walls and buildings. That is an eminently sensible punishment. The problems of the health and safety regulations which used to stand in the way have been overcome. The Bill requires people who are subject to community service orders for graffiti offences to undertake the removal of graffiti in their area. The punishment must fit the crime. However, the whole process is a waste of money for local authorities that are strapped for cash, and a waste of police time for a police force short on personnel. We are attempting to stop the problem at source and have pressed the Government for some time by calling for a ban on the sale of spray paints to minors.

In response to parliamentary questions, the Government insist:

"There are no plans at present to restrict the sale of spray paints to juveniles; this would penalise young people who have a legitimate reason for their purchase."—[*Official Report*, 16 January 2001; Vol. 361, c. 206W.]

What legitimate reason might a young person of 15 or 16 have? If he requires spray paint for art at school, surely that can be purchased with a note from the lecturer or teacher, or his parents can get it. Would it limit young people's freedom so much if they were unable to buy it? Supermarkets and do-it-yourself outlets in my area sell spray paint and I have been told that it is sometimes possible to buy five or six cans for a pound. That is ridiculous. In addition, spray paint does not have to be bought: it is easily stolen. It is often on low shelves and can be scooped into a rucksack before the young person goes off on that night's activities.

The Government also refer to the Intoxicating Substances (Supply) Act 1985 which makes it an offence to sell a substance to a minor knowing that it or its fumes are likely to be inhaled for intoxication. There is evidence that the fumes of spray paint are intoxicating and that young people get a high from them. Why are there no prosecutions under the 1985 Act? Why are there no test cases? We never hear of anyone being taken to court for selling those substances to young people. Preventing or trying to prevent the sale of spray paint to minors is a practical step that we can take.

I implore the Government to take our Bill seriously so that we try to stop the vandalism and waste of public funds that are expended on it. I urge them to support the Bill.

Question put and agreed to.

Bill ordered to be brought in by Dr. Jenny Tonge, Dr. Vincent Cable, Mr. Edward Davey, Mr. Paul Burstow and Mr. Tom Brake.

GRAFFITI (CONTROL)

Dr. Jenny Tonge accordingly presented a Bill to prohibit the sale of spray paint to minors; to authorise local authorities to require people subject to community service orders to undertake the removal of graffiti; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 20 July, and to be printed [Bill 81].

Business of the House

3.44 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Speaker. We will shortly debate a motion tabled by the Leader of the House on the business of the House, but before we can sensibly do that we need to have an idea of the terms of the timetable motion. I have just been to the Vote Office. It does not yet have the timetable motion, so we do not know its terms. That is a peculiar state of affairs, not least because the Leader of the House announced the timetable motion yesterday. May I suggest that it would be best for us to adjourn our debate until the timetable motion is in the Vote Office?

Mr. Speaker: No.

Mr. Nicholas Winterton (Macclesfield): Further to that point of order, Mr. Speaker. I have a copy of the Elections Bill, which has just been delivered an hour late to the Vote Office. The opening paragraph relates to explanatory notes, which will be prepared by the Home Office and published "as Bill 80—EN." We have been to the Vote Office, and although we shall debate the Bill shortly, no explanatory notes are available. [HON. MEMBERS: "We'll discuss it tomorrow."] Hold on; I believe that, since the Bill has been published today, it is important to publish the explanatory notes, too. Could you advise the House on that, Mr. Speaker?

Mr. Speaker: The hon. Gentleman knows that the Bill was presented only today. The explanatory notes are a matter for the Minister, not the Chair.

Mr. John Bercow (Buckingham): On a point of order, Mr. Speaker. I seek your guidance on what appears to be a growing phenomenon of parliamentary truancy whereby hon. Members—I am sorry to say that they are principally Labour Members—bunk off rather than turn up to ask the questions that they have tabled. Given that that is discourteous to the House, I ask you, in the words of Vladimir Ilyich Lenin, with which I am sure you are familiar—

Mr. Speaker: Order. That is not a proper point of order. I am here, and so is the hon. Gentleman. That is all he has to worry about.

3.46 pm

The Minister of State, Home Office (Mr. Charles Clarke): I beg to move,

That, in respect of the Elections Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.

The motion simply provides for amendments to be tabled in advance of Second Reading. The Bill needs to receive Royal Assent quickly: certainly before the Easter recess. We believe that all those involved in local elections—candidates, parties and electoral administrators—need certainty. Local authorities are obliged to incur wasted expenditure in anticipation of elections on 3 May, for example, through printing ballot papers and sending out postal vote papers, until the Bill receives Royal Assent. I therefore propose that all its stages be taken tomorrow. To be helpful to the Opposition and, indeed, all hon. Members, we propose that hon. Members can table amendments straight away rather than having to wait till the end of Second Reading.

We made draft copies of the Bill available to principal Opposition spokespeople yesterday evening to give them extra time to consider its provisions. I hope that hon. Members will perceive the motion as a common-sense measure and endorse it.

Mr. Nicholas Winterton: As the Minister knows, I have raised a point of order on the explanatory notes. Does he not accept that they would be helpful to hon. Members? Can he suggest when they will be available? If amendments are to be tabled before Second Reading, the explanatory notes would be helpful, especially to Back-Bench Members, who do not have the advantage of large offices to advise them. They help hon. Members to determine the sort of amendments they may table.

Mr. Clarke: The hon. Gentleman is right to say that hon. Members will benefit from explanatory notes. I assure him that we will provide them as soon as possible. The motion that we are considering covers only the procedural question of whether amendments can be tabled in advance of Second Reading.

Mr. Hogg: The Minister has heard my point of order on the timetable motion. If he was in a position to disclose a draft copy of the Bill to my right hon. and hon. Friends on the Front Bench, why was not he in a position to place a timetable motion in the Table Office? When can we expect it to be there?

Mr. Clarke: I give the right hon. and learned Gentleman the same commitment as I gave to the hon. Member for Macclesfield (Mr. Winterton). I shall use best endeavours to ensure that we make it available as quickly as possible.

I hope that I have clarified the motion.

3.49 pm

Mrs. Angela Browning (Tiverton and Honiton) *rose—*

Rev. Martin Smyth (Belfast, South): On a point of order, Mr. Speaker. I was trying to catch the Minister's eye earlier to query whether he had said that the main Opposition parties had been given copies of the Bill yesterday evening. One has to bear in mind that there are other Opposition parties too. I wonder whether the Northern Ireland parties had a copy of the Bill yesterday evening, because I was not aware of it, and the Bill specifically affects Northern Ireland.

Mr. Speaker: I hope that the Minister will take note of that point of order, because I would expect all Opposition parties to be given notice.

Mrs. Browning *rose——*

Rev. Ian Paisley (North Antrim): On a point of order, Mr. Speaker. A promise was made yesterday that we would receive a draft copy, because most of the Bill has to do with Northern Ireland. That promise was not kept: my party did not get a copy until this morning,

[Rev. Ian Paisley]

after hunting round the various Whips' offices and making phone calls. We did not get our copy until just before the House sat this afternoon. Northern Ireland parties are implicated in the legislation in a big way, so surely they were entitled to see the Bill as soon as possible.

Mr. Charles Clarke: Further to that point of order, Mr. Speaker. Would it be in order for me to apologise to hon. Gentlemen from the Northern Ireland parties? I do not know why what happened did happen, and I apologise. As both the hon. Member for Belfast, South (Rev. Martin Smyth) and the hon. Member for North Antrim (Rev. Ian Paisley) have said, the Bill very much affects their part of this country; they were entitled to see it, and I apologise that they did not have it earlier.

Mrs. Browning *rose—*

Mr. Martin Bell (Tatton): On a point of order, Mr. Speaker. May I put the case for the many independents in local Government? Surely they are entitled to as much consideration as the candidates from the regular political parties.

Mrs. Browning: Third time lucky, Mr. Speaker.

Given the representations that we have just heard in the form of points of order, Mr. Speaker, I wonder whether I could begin by saying something that I was going to ask you about. I collected the Elections Bill from the Vote Office after Question Time at 3.30; it was an hour late and, as we have heard, there are no explanatory notes to go with it at the moment—

Mr. Speaker: Order. Perhaps I can help the hon. Lady. The Bill was made available as soon as it was presented to the House.

Mrs. Browning: Thank you, Mr. Speaker. I said that the Bill was late because earlier in the day I had asked the people in the Vote Office when they had been notified that it would be delivered to them. I was told that it was expected to be there by 2.30. That is why I suggested that it was an hour late.

In the circumstances—

Mr. Speaker: Order. Perhaps the hon. Lady will take my word for it: I heard the Bill being presented earlier today, and it could be placed in the Vote Office only after it was presented before the House.

Mrs. Browning: Of course I accept your word for that, Mr. Speaker—

Mr. Fabricant: Will my hon. Friend give way?

Mrs. Browning: Perhaps my hon. Friend will allow me to complete a sentence first.

I would like to make a helpful suggestion, because clearly we are dealing with matters of great concern to Members in all parts of the House. I appreciate the fact that those on the Conservative Front Bench received a draft copy of the Bill last night, and we are very grateful for that. None the less, the examination and scrutiny of any Bill is equally a matter for Back Benchers on both sides of the House.

In view of the representations that you have just heard in the form of points of order from other parties whose representatives did not receive a draft copy, Mr. Speaker, are you prepared to advise the House of whether you will accept manuscript amendments until a late stage, just before we begin our proceedings on the Bill tomorrow afternoon? Many Members will not wish to draft their amendments until they have had sight of the explanatory notes.

Mr. Eric Forth (Bromley and Chislehurst): My hon. Friend will not have forgotten that the Government intend to take all stages of the Bill under a guillotine tomorrow. How does she imagine that the House will be able to judge what will happen in the Committee stage? Hon. Members may wish to table amendments for Report. How does my hon. Friend imagine that they will be able to do that if we are operating under a guillotine?

Mrs. Browning: That is exactly why I began by suggesting—and would have suggested, even if I had not heard the representations from other parties—that you might consider manuscript amendments for tomorrow's proceedings, Mr. Speaker. My right hon. Friend is right: we shall be taking all stages of the Bill under a guillotine. Indeed, the House will not need me to remind it that tomorrow we shall be taking all stages of two Bills under guillotine motions. Careful deliberation will therefore be needed to ensure that we have adequate time, especially for the Committee and Report stages of each Bill. That applies particularly to the Elections Bill, as we have had so little time to consider it.

Having had a few minutes on the Bench in which to flip through the Elections Bill, I immediately see many matters that are not only detailed but potentially controversial. Although there is agreement between the parties on wanting the Bill to proceed, it cannot do so at the expense of proper scrutiny on the Floor of the House, or of the right of people to ask questions and to have the right length of debate.

Mr. Nicholas Winterton: My hon. Friend advances a coherent and constructive argument. Does she not feel that the Government are wrong to introduce a programme motion for the Bill? We are dealing with local government democracy in the Bill, and it is entirely inappropriate that there should be a programme motion. Bearing in mind the complications in the Bill, if the House needs to sit late tomorrow night, it should have the opportunity to do so and should not be inhibited by any programme or guillotine motion.

Mrs. Browning: I agree with my hon. Friend. I am concerned, because we shall be dealing with two important Bills tomorrow under those terms. During the business statement yesterday, the Leader of the House was asked whether we would sit late tomorrow night. I forget her exact words, but she implied that we would not. That suggests that the guillotining is going to be pretty ruthless.

My hon. Friend asked about the Government's intention to programme. Programming has become the hallmark of this Government. Although there is co-operation, and a need to see the Bill discharged, I none the less urge the Minister to allow the House—particularly its Back-Bench Members—to give the Bill the proper scrutiny that it deserves.

Mr. Hogg: Is there not a further problem? This is the first time the local government representatives and their associations will have seen the Bill. They may well want to make representations about its contents. In the ordinary course of events, no amendments would be taken after the House rises tonight. In those circumstances, how on earth are those people going to have their point of view properly listened to by the elected representatives sitting in this place?

Mrs. Browning: My right hon. and learned Friend is right. Glancing through the Bill for just a few minutes, I notice, for example, a provision about the extension of the nomination period in relation to individual candidates. There is also the matter of clause 6, which deals with compensation to local authorities or candidates. The House will want to probe exactly what is intended by that, and, in the absence of an explanatory note, I have not been able to second-guess it at this stage.

The programme for tomorrow's business includes two very important Bills. The Elections Bill will require a lot of debate and scrutiny. Mr. Speaker, may I urge you to consider being as flexible as possible, according to the powers available to you, in relation to representations from Back Benchers on both sides of the House, and to the ways in which amendments could be tabled to the Bill? Perhaps you could also give us guidance on how the Report stage will be handled, as we shall not have heard the relevant deliberations by the time any amendments would have to be tabled?

Rev. Ian Paisley: Does not the hon. Lady agree that the most difficult part of the Bill has to do with Northern Ireland? We have two systems of voting there. We have a system involving putting a straight "X" for electing Members to this House, and the "one, two, three" single transferable vote system in local government. That leads to all sorts of complications, because the constituencies for Westminster are not—

Mr. Speaker: Order. Perhaps I can help the hon. Gentleman. We are not scrutinising the Bill at the moment. We are discussing the business of the House, under motion 3. That motion is very narrow, and deals with the ability to table amendments. We are, therefore, going wide of the motion if we start discussing the detail of the Bill. That will come later.

Mrs. Browning: May I pick up the thrust of the point made by the hon. Member for North Antrim (Rev. Ian Paisley)? The measures dealing with matters pertaining to Northern Ireland are important and no doubt amendments to them will be tabled, which brings me back to timetabling. How will the allocation of time be dealt with? It is a great pity that a timetable motion is not before the House now, because we would have a clearer idea of how time will be divided up between the various parts of a Bill that we have only just seen.

4 pm

Mr. Eric Forth (Bromley and Chislehurst): The problem is that we have only part of the information. As my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said, we know only the barest details of what confronts us and what is, after all, an extremely important and rare, if not unprecedented, event in our constitutional arrangements. We are discussing nothing less than changing election dates. I should have thought that even this Government would want to ensure that the House has a proper opportunity to consider those matters in detail, yet we do not know how much time they will deign to give us tomorrow.

The Leader of the House was kind enough to say yesterday that an allocation of time motion relating to the Elections Bill and, indeed, another Bill would be tabled. We have been told that two Bills will be considered on the same day.

Mr. Speaker: Order. I must be very firm: the right hon. Gentleman is going wide of the motion. I cannot allow him to do so, because I am sure that he will want to speak on other matters.

Mr. Forth: You can take that as being absolutely for sure, Mr. Speaker. I am concentrating on this matter right now; I am warming to my theme.

The Leader of the House told us yesterday that there will be proceedings—plural—on the Elections Bill. Until the motion was tabled, that was the only hint that we will have debates on Second Reading, in Committee, and on Report and Third Reading.

Mr. Hogg: My right hon. Friend will want to remind the House that unless the Bill is amended in Committee, there will be no consideration on Report and the process will be further truncated.

Mr. Forth: Regrettably, that is true and my right hon. and learned Friend is correct. I hold out no great hope or optimism that we shall be able to amend the Bill in Committee. It has been in our possession for only a few minutes, but even a glance at it suggests to me that there is ample scope for amendment. Therefore, we should be concerned about the opportunity given to us by the motion properly to amend the Bill.

The motion says that

"notices of Amendments, new Clauses"—

that is a useful hint—"and new Schedules", which is an even bigger hint, I would have thought,

"to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time."

That suggests that we shall be able to table amendments, new clauses and new schedules right up to the vote on Second Reading. That in turn suggests that, were we to agree to the motion, which I hope we do not, we would face a possible plethora of manuscript amendments being tabled after Second Reading and before we consider the Bill in a Committee of the whole House. We would then be in the invidious position of facing the possibility of debating a number of manuscript amendments of which most Members of the House were unaware until that point.

Mr. Hogg: Will my right hon. Friend contemplate this point? He is discussing manuscript amendments being

[Mr. Hogg]

tabled up to the point at which we begin consideration on Second Reading, but the truth is that the House needs to consider and reflect on the arguments advanced on Second Reading. That argues for amendments to be tabled in Committee.

Mr. Forth: Of course, my right hon. and learned Friend is correct, although I had not quite reached that point in my reasoning. When considering any Bill, never mind a Bill of such gravity and importance, we would usually expect the opportunity to consider what had been said on Second Reading, take soundings, undertake consultations, accept representations from outside and table amendments in Committee.

That would be the normal process, but we are faced with an absurdity in this instance. Apparently, we are expected to engage in a truncated Second Reading debate under a guillotine; we will vote on Second Reading; then, and only then, the shutters will come down and it will no longer be possible to table amendments.

I might want to delay submitting my amendment until I have heard the whole of the Second Reading debate. If time permitted, I might well want to hear the Minister's winding-up speech before considering what amendments to table for the Committee stage.

Mr. Bercow: My right hon. Friend's textual exegesis is second to none, but, in fairness to the Leader of the House, does he not think that she possibly—and presumptuously—intended the word "proceedings" to refer to a single event?

Mr. Forth: I cannot believe that. I think that my hon. Friend, unusually, has got the wrong end of the stick. I assume that the Leader of the House deliberately used the word in the plural because of the devastating combination that would confront us under a guillotine: in quick succession, Second Reading, a Committee of the whole House, Report—if amendments had been made in Committee—and Third Reading.

Mr. Nicholas Winterton: In the normal run of procedure, when we have a Standing Committee, there is the safeguard of a Programming Sub-Committee. How can the safeguards built into the normal passage of legislation by the good offices of such a Sub-Committee be taken into account when a Bill is being taken through all its stages in one day on the Floor of the House?

Mr. Speaker: Order. That has nothing to do with the tabling of amendments, which is what the motion is about.

Mr. Forth: My hon. Friend may wish to consider what he has said. It might have a bearing in some circumstances—but, guided by you, Mr. Speaker, I could not possibly speculate on that.

It strikes me, at first glance, that items in the Bill mentioned by my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning)—we have had only a few minutes in which to look at it—suggest considerable scope for amendments, which, of course, are allowed by the motion. The controversial issue of a fixed date might be the subject of one debate; a change of circumstances in the renomination of a candidate might be the subject of another. There is our friend "as if for", which is a variation of the "deeming" method that we have seen recently. There is the whole question of compensation—not easement of expense limits—on which I myself might wish to table an amendment.

Mr. Hogg: In regard to limits on expenses, is it not difficult for us to determine whether it is appropriate to approve the motion until we have had the opportunity of receiving representations from the Local Government Association on whether the 50 per cent. figure is sufficient?

Mr. Forth: My right hon. and learned Friend raises an important matter. We are being told that a Bill that we have only just received will go through all its stages tomorrow, and that the motion allows the tabling of amendments, new clauses and new schedules, all of which could well be the subject of serious representations from those directly involved in local elections and local councils up and down the land, whose circumstances will vary. Given the compressed nature of the timetable that is being suggested, I should have thought that the lack of any time for those outside the House to make legitimate representations to Members would seriously undermine the credibility of the Bill, should it be passed.

It is all very well for the Minister to say, "It is all very uncontroversial; it has all been agreed, everyone is happy with it, and therefore we need not bother with it too much, need we?" We know from bitter recent experience—the other Bill that we are to debate tomorrow, which you will not want me to discuss or even refer to, Mr. Speaker, is standing testimony to this— that, if we do not scrutinise legislation adequately, mistakes are likely to arise.

Mr. Hogg: Would my right hon. Friend care to make this point? We cannot judge whether the motion now before the House is appropriate until we know what, if any, representations were made to the Government by the Local Government Association and other bodies when the Bill was originally drafted.

Mr. Forth: My right hon. and learned Friend is correct, but I hazard a guess that the answer is adjacent to zero. That should disturb us all greatly; it should not give us any assurance.

Mrs. Browning: Does my right hon. Friend agree that it might be helpful if, when the Minister replied, he could say when authority was given for the drafting of the Bill? *[Interruption.]*

Mr. Forth: The Minister has just indicated from a sedentary position that he is not going to bother replying to the debate. I think that that was the gist of what he has just muttered. I am beginning to think that this matter will now be subjected to a Division. I am certainly of a mind now to seek to divide the House on it, if only to seek to censure the Minister for the fact that he has indicated that he will not reply to the debate. A debate not replied to should be subjected to a Division, so that we can test the view of the House. I thought that I would give a little indication of that at this stage to help my colleagues.

Mr. Nicholas Winterton: I am trying to be reasonable and rational, because I agree with the Bill. I wonder

whether my right hon. Friend would indicate whether—this specifically relates to the motion—the Clerks at the Table will accept new clauses, new schedules and amendments to be moved in Committee after the Bill has had its Second Reading. Clearly, in the light of what is said on Second Reading, it may be necessary to table amendments. Will they be acceptable in manuscript form?

Mr. Speaker: It might be helpful if I said that the motion simply allows amendments to be tabled before the Bill has been read a Second time. It is about timing. It has no bearing on the scope of amendments that may be proposed.

Mr. Hogg: On a point of order, Mr. Speaker. That is helpful guidance and we are grateful for it, but can you tell us whether you would be minded to accept manuscript amendments in Committee, bearing it in mind that, in the ordinary course of events, amendments must be tabled by tonight? It would be enormously helpful to us if you accepted amendments in Committee and, if we have a Report stage, on Report.

Mr. Speaker: The right hon. and learned Gentleman will know that we are dealing with a Committee of the whole House. It is for the Chairman of Ways and Means to consider that matter, not me.

Mr. Hogg: Further to that point of order, Mr. Speaker. Would it be possible for you this evening, once you have had an opportunity to discuss the matter with the Chairman of Ways and Means, to say what the likely ruling would be? It would be of enormous value to the House to know that amendments could be tabled in Committee.

Mr. Speaker: The Chairman of Ways and Means, like me, cannot deal with hypothetical matters. Obviously, amendments will have to be weighed up by the Chairman of Ways and Means, as they are weighed up by me.

Mr. Forth: That is extremely helpful, Mr. Speaker. We are all grateful for that, but you referred a moment ago to amendments. The motion also talks about new clauses and new schedules. Therefore, potentially, a new schedule could—

Mr. Charles Clarke *rose*—

Mr. Forth: I will happily give way to the Minister, who is not going to reply to the debate.

Mr. Clarke: I may have misunderstood the right hon. Gentleman, but I just want to make it clear that, if he divides the House against the motion, amendments, new clauses and new schedules to be moved in Committee might not be accepted by the Clerks before the Bill has been read a Second time. That may be the effect of dividing the House. I want to make sure that he has understood that.

Mr. Forth: I am always grateful for the patronising guidance of the Minister from the depth of his vast parliamentary experience. I always feel completely inadequate when faced by this Minister across the Chamber, and I find his guidance extremely helpful. I should, however, tell him that I shall make up my own mind on what I do and whether I seek to divide the House, and that when I do, I will probably know what I am up to.

Mr. Hogg: I shall be very chary in the way in which I phrase my intervention. Would I be right in supposing that, had the Government been minded to allow amendments in Committee, the motion could have been drafted in such a manner as to say so?

Mr. Forth: Of course, but it is perfectly obvious that the Government's objective in this whole exercise is to minimise the opportunity for consultation, representation, debate, amendments and consideration. We can draw no other conclusion than that. Although the Minister has tried, rather feebly, to portray the motion as an act of parliamentary generosity by the Government, those of us who have been in this place for more than a dog-watch will know that the situation is precisely the opposite.

Mr. Crispin Blunt (Reigate): As one who has been in this place for the same length of dog-watch as the Minister, I should perhaps tell my right hon. Friend that, before he takes into account the Minister's guidance on this Bill, on three occasions during our consideration of the Criminal Justice and Police Bill, the Minister's guidance on likely events turned out to be terminologically inexact.

Mr. Speaker: Order. That is nothing to do with the matter before us.

Mr. Forth: No, but it is interesting.

I should like for a moment to concentrate on the word "schedules", which is rather important to us in this debate. It would be one thing if we were dealing only with amendments—although amendments can be a matter of great seriousness and very wide-ranging, of course subject to selection by you, Mr. Speaker—but when we discuss the possibility, as is stated in the motion, of new schedules to the Bill, that raises the possibility of a wide-ranging debate and of considerable change to the thrust and direction of the Bill itself. No less could be said of new clauses.

Once we get into the territory of new clauses and schedules and the possibility of their being moved were they to be selected, the relationship between Second Reading and Committee, and between Committee and Report, comes into play, as does the matter—which we are not discussing today, although we shall tomorrow—of the time available for them. Therefore, time and again, we keep coming back to the fact that hon. Members must make some type of judgment, within the terms of the motion, on whether we think that it is credible or acceptable, in terms of parliamentary accountability and scrutiny of the Bill, to countenance what is suggested in the motion.

Although it may be possible for all these matters to be

"accepted by the Clerks at the Table before the Bill has been read a second time"—

in other words, as I understand it, under the guillotine, right up until a Division, if there is to be one, on conclusion of debate on Second Reading—we face the possibility of a very complex schedule being tabled at the last minute trying to take account of what has been

[Mr. Forth]

discussed on Second Reading, and the House being forced under a guillotine either to debate the matter barely at all or to divide on a possibly very complex schedule, although we are scarcely aware of its content. That puts us in an impossible position.

Even if the Government are attempting to say, "Aren't we being generous, having guillotined this Bill and said", as the Leader of the House did, "that we will have all the proceedings under a guillotine in less than one parliamentary day?", hon. Members are now in the invidious position that we—with you, Mr. Speaker—may have to make a very rapid judgment on a complicated manuscript new schedule or new clause and then be forced to make up our minds on that provision on a matter as important as elections.

Mr. Hogg: Although we are discussing procedure, namely the motion on the Order Paper, does my right hon. Friend agree that we are aware of only part of the process? Until we see the timetable, we do not know when, for example, the Bill will be considered on Second Reading. We are seeing but part of the process, not the whole. How can the House conceivably vote successfully on this motion?

Mr. Forth: I am grateful to my right hon. and learned Friend. I was going to touch on that issue, and now is as good a time as any to do it. We know that we have only just had the Bill and the Government propose that it should be dealt with tomorrow, but we do not know at what stage tomorrow it will be dealt with. It is an important point. My right hon. and learned Friend has highlighted the fact that those of us who will try to balance our time between wanting to participate in the upcoming debate and attempting to rush off and start drafting numerous amendments and new schedules to the Bill—as I fully intend to do—do not know how much time we have available to do that. The motion states simply

"before the Bill has been read a second time."

For the sake of argument, let us suppose that a statement were made tomorrow, or that you, Mr. Speaker, were to grant an emergency debate under Standing Order 24. From the time made available tomorrow for the debate on the programme motion, hon. Members could judge when the debate on Second Reading would start and conclude, and when any vote would occur. That in turn would tell us how much time we had to meet the requirements of the motion. However, we know none of that and we are being forced to debate this motion without knowing what the Government will impose on the House tomorrow.

Mr. Graham Brady (Altrincham and Sale, West): Is not another serious possibility that, if consideration of the Bill is guillotined, as we expect that it will be, the passage of this motion may disadvantage any amendments or new schedules tabled with the benefit of knowledge of what has been said on Second Reading? Amendments tabled before Second Reading may take up all the available time.

Mr. Forth: Indeed, and we shall therefore have an odd phenomenon. I propose to draft today, without having heard the Second Reading debate, amendments that necessarily will be somewhat speculative—although I shall do my best to imagine what might be said on Second Reading. Conversely, as my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) pointed out, those hon. Members who wait for the Second Reading debate and then try to make sense of new schedules or new clauses will be at a curious disadvantage.

Mr. Hogg: May I point out a further disadvantage to which my right hon. Friend will be put? I know that it is not his practice to attend Westminster Hall—

Mr. Forth: Never.

Mr. Hogg: My right hon. Friend says "never", but I know that there is a debate on the future of the green belt, and that that is a matter of some concern to him. He might be minded to attend the whole debate in Westminster Hall tomorrow—

Mr. Speaker: Order. Whether the right hon. Gentleman is so minded or not has nothing to do with the motion.

Mr. Forth: I am grateful for your protection, Mr. Speaker, from my right hon. and learned Friend's attempts at seduction.

We are in an extraordinarily difficult position. The Government have tried to portray the motion as an act of generosity, but it is completely the opposite. The House is in an invidious position, with hon. Members being asked to tamper with the country's electoral arrangements—no less—in a limited amount of time and with no proper time allowed for representations from outside, consideration or consultation. There is the great risk that any amendments, new clauses or new schedules that are tabled will be defective, either for the reason set out by my hon. Friend the Member for Altrincham and Sale, West a moment ago, or simply because insufficient time has been allowed for their preparation.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The right hon. Gentleman makes the serious and welcome point that the House should never rush through legislation without looking at it. However, that should not detract from the fact that it would not be the first time that hon. Members had written new schedules or amendments without having any idea of what was contained in the Bill connected with the subject matter.

Mr. Forth: It is always reassuring to know that there is a precedent, in which I am, generally speaking, somewhat of a believer. However, my point is that the House is being put at a peculiar disadvantage on this occasion. If we are to be bereft of a summing-up by the Minister, there will be no option for some of us but to seek—

Mr. Bercow: Does my right hon. Friend agree that there is no requirement, in terms of parliamentary propriety, to debate amendments in the chronological order of their tabling? Although no Conservative Member cares a tinker's cuss whether the Minister of State replies to the debate, does my right hon. Friend agree that it would be entirely appropriate for the Parliamentary Secretary, Privy Council Office to be plucked from his office and instructed to return forthwith to the Chamber?

Mr. Forth: We always welcome the Parliamentary Secretary for his courtesy and consideration to the House,

and his presence would be advantageous. However, the ordering of the sequence of amendments is for Mr. Speaker to determine. We always respect his wisdom in these matters, as we would on this occasion.

Mr. Brady: Will my right hon. Friend give way?

Mr. Forth: I was about to conclude my remarks, but before I do so I shall of course give way to my hon. Friend.

Mr. Brady: I am afraid that my right hon. Friend may have treated with undue levity the comments of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), for whom both he and I have great respect. The hon. Lady said that such a state of affairs was not without precedent. However, does my right hon. Friend agree that, in a constitutional measure of this sort, one should set a higher standard? We should not necessarily expect this measure to proceed without proper precedent. I know of no such precedent. Does my right hon. Friend?

Mr. Forth: I certainly do not and would be interested to know whether the hon. Lady does, for the reason that my hon. Friend has given. This is a constitutional measure of the greatest importance—we know that the Prime Minister has agonised over it—yet the Government seek to rush it through in this unseemly way.

All in all, this is a very sad day. The arrangements are most unsatisfactory. Even in the event of an elegant, comprehensive and lengthy reply from the Minister, I believe that some right hon. and hon. Members may have no option but to vote against the motion to express their disapproval of the whole matter.

4.26 pm

Mr. Paul Tyler (North Cornwall): The core concern, as I see it, is that although the motion may be intrinsically sound and acceptable in itself, the fact that it does not have alongside it any timetable, programme motion or guillotine arrangements makes it extremely difficult to judge whether it is acceptable. For all we know, the Government may intend to bring matters to a conclusion at 7 o'clock or 11 o'clock tomorrow evening, or at 2 o'clock or 7 o'clock on Thursday morning. In those circumstances, it is extremely difficult for us to judge how the matter will be addressed in the House tomorrow.

Liberal Democrats have no problem with the motion, and I think that that is probably true of other parties as well. The key issue is whether we will be given adequate time to debate properly the amendments that will be brought forward under the motion and give the matter the scrutiny that it requires. I hope that someone on the Government Front Bench can give us an indication of the intended timetable. I have been in the Chamber for a couple of hours, and I may have missed something, but as far as I am aware there has not even been any discussion across the House through the usual channels.

Mr. Hogg: Perhaps the hon. Gentleman heard my point of order. I went to the Table Office and was told that no timetable motion had yet been tabled, so we must assume that the terms have not been drafted.

Mr. Tyler: I am grateful to the right hon. and learned Gentleman, but that may not be entirely so. He will know from his experience in government that discussions sometimes take place through the usual channels before the final version of a motion is tabled. It has been known for programme motions to receive the support of all parties in certain circumstances. Given, as I understand it, that the Conservative party—

Mr. Speaker: Order. I have spoken at length about the narrowness of the motion. Programming does not come into it—it is strictly about the time limit for amendments. That is what we must debate.

Mr. Tyler: I am grateful to you, Mr. Speaker. The importance of the motion—which we support—is not its intrinsic merit but how it fits with the business of the House. My concern is that we do not know how it will operate tomorrow, which will make it difficult to judge its merits.

I plead with the Government to ignore the fact that the Conservative party seems to be at sixes and sevens on this issue. After all, Conservative Members have wanted these elections to be delayed for some weeks, and now that the necessary motion has come before the House to make that a practicality, it is difficult to understand where they are coming from.

Will the Government give us an indication of what the timetable is? Without knowing that, it is extremely difficult to address the motion in a fair and balanced way.

4.29 pm

Rev. Ian Paisley (North Antrim): The House should be aware of the immense part of the Elections Bill that refers to Northern Ireland. Four pages refer to England and Wales, but 12 refer to Northern Ireland. I would have thought it only right for a Northern Ireland Minister to be on the Government Front Bench, at least today, because the largest part of the Bill deals with Northern ireland.

The amazing thing is that Northern Ireland does not need to be included in the Bill, as our elections do not need to coincide. They are not even in the same month. We in Northern Ireland know why this has happened—the First Minister and the Deputy First Minister want it, whereas the other parties do not. To us, this is a political move for political advantage.

Elections are at the heart of democracy and there should be no interference, if possible, in the way in which elections are run. Part I of the Bill deals with parliamentary elections rules, about which I am supposed to table amendments. We then come to a large part about local election rules, about which I am supposed to table amendments. *[Interruption.]* I am looking at the motion, Mr. Speaker, and I am aware of what is in it; it is about tabling amendments, and I am sticking to that. I tried to get that through to the hon. Member for Tiverton and Honiton (Mrs. Browning), but you cut me off before I put my question, Mr. Speaker. I am trying to stick to the subject of tabling amendments.

I always thought that we tabled amendments after we heard what the Government thought about a Bill and what it meant. I have written a three-page letter to the Prime Minister, by request from the Northern Ireland Office, in which I put all my views. It was not even acknowledged and I do not know what the response will be. How can I

[Rev. Ian Paisley]

carry out my duty as leader of a party in Northern Ireland when I do not know the response of the Government to the Bill?

Mr. Hogg: Does the hon. Gentleman know of any discussion involving the Northern Ireland Office, his party or any of the parties in Northern Ireland—

Mr. Andrew Miller (Ellesmere Port and Neston): On a point of order, Mr. Speaker. Yesterday, in answer to the right hon. Member for Bromley and Chislehurst (Mr. Forth), my right hon. Friend the Leader of the House said:

"As for the way in which amendments will be tabled, it will be done in accordance with the usual procedures of the House."—[*Official Report*, 2 April 2001; Vol. 366, c. 42.]

As I understand it, the motion seeks to extend the normal procedures of the House. Am I right in saying that if the motion were to be rejected, we would fall back to the normal procedures of the House, which would be of lesser benefit to Members on both sides? Would it be in order to ask you to ask whether any Member of the House does not want the extension to the normal procedures, so that we can get on to some sensible business?

Mr. Speaker: It would not be in order to ask me because I am not here to say what the benefits would be of approving the motion. All I can do is to advise the House on how narrow the motion is. It is very narrow, and I would say to the hon. Member for North Antrim (Rev. Ian Paisley) that he is nearly going beyond its terms. Perhaps he will assist me by getting back to the terms of the motion.

Rev. Ian Paisley: I am glad to hear that you think I am not beyond, but only nearly beyond, the motion, Mr. Speaker. I will not make any further comment and I will leave to your imagination what I am thinking.

In response to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), I know that all the parties in Northern Ireland have had discussions with either the Secretary of State or the Minister in charge of elections, and it is clear that the First Minister and his deputy want this delay, while the other parties do not. There are many within the Ulster Unionist party who do not want it either.

It is all right for those in the House who have only four pages to look at; Northern Ireland Members have the vast bulk of the Bill to look at. When we table amendments, we will not know whether we are tabling them with the right view of the Bill, because there is no explanation—not even in the Bill itself. That is a legitimate point to make on this motion, Mr. Speaker, because it concerns the tabling of amendments. How can we do that unless we have some idea of the Government's view, which would usually come out in a Second Reading debate? That is what Second Reading is for.

The matter is complex for Northern Ireland because it has different constituencies for local government. One constituency has four different—

Mr. Speaker: Order. This is where the hon. Gentleman is going beyond the scope of the motion.

Rev. Ian Paisley: Perhaps I can ask for your help, Mr. Speaker. How can I table an amendment that will cover a situation in which, instead of one council, we have local government councils in four parliamentary constituencies?

Mr. Speaker: All I can tell the hon. Gentleman is that whenever I wanted to table amendments, I sought the advice of the Clerks. That is my advice to him.

Rev. Ian Paisley: The Clerks will have a long session, because there are great difficulties. As the largest part of the Bill concerns Northern Ireland, there should be adequate time to consider the amendments. We may get a bit of paper that says that the amendments will not be discussed at all. Even if they are on the amendment paper, with the guillotine we may never reach them.

4.37 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I want to reinforce what the hon. Member for North Antrim (Rev. Ian Paisley) and my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said. The motion is narrowly phrased but important, and I view it with dismay. I am perfectly prepared to accept that we need emergency legislation, although I would have put a date for the local council elections at the back end of this year—but that is not a matter for this debate.

This is a profoundly unsatisfactory state of affairs, for several reasons. Critically, the motion is only part of the process, and until we also see the timetable motion we do not know whether it is right to agree to it. We are told that we can table amendments until the Bill has its Second Reading, but we do not know whether there will be a substantial gap between Second Reading and Committee stage. If the Committee stage is taken immediately following Second Reading, and that is to be concluded very early tomorrow, in the afternoon sitting, the proposal in the motion is wholly inadequate.

Until we see the timetable motion, we are being asked to discuss an important matter of parliamentary procedure with only one part of it before us. That seems absolute nonsense to me.

Another reason for not liking the motion is that I have already raised with several right hon. and hon. Members—and with you, on a point of order, Mr. Speaker—whether amendments will be acceptable during the Committee stage. You were kind enough to tell the House that that is, in essence, a matter for the Chairman of Ways and Means. No doubt that is correct, but it would have been perfectly possible for the Government, when drafting the motion, to provide for the acceptance of amendments, new clauses and new schedules during Committee.

Sir Nicholas Lyell (North-East Bedfordshire): As you, Mr. Speaker, were kind enough to say that the question of amendments at the Committee stage would be a matter for the Chairman of Ways and Means, I took that to mean that Members of the House would at least be able to table amendments at that stage so that they could be considered by the Chairman of Ways and Means. I regarded that as

enlightening the House. Did my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) have the same impression?

Mr. Hogg: Yes, I believe that my right hon. and learned Friend is right about that. However, whether the amendments, new clauses and new schedules will be debatable or debated is a matter partly for the timetable and partly for the discretion of the Chairman of Ways and Means. You are nodding, Mr. Speaker, so I assume that I have got it right, which is of great reassurance to me—

Mr. Speaker: Order. Perhaps I can help the right hon. and learned Gentleman. Amendments and new schedules can be tabled, but it is at the discretion of the Chair whether they are accepted for debate.

Mr. Hogg: The point that I think my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) wants to make, and which I certainly want to make, is that as the Government thought it right to make provision for the tabling of amendments, new schedules and whatever up until the moment of Second Reading, it would have been perfectly possible for them to have covered the Committee stage and Report. Had they done that, people such as myself and my right hon. and learned Friend would have been much happier.

Mr. Charles Clarke: I doubt it.

Mr. Hogg: The hon. Gentleman says that he doubts it, but the truth is that many Members are seriously concerned about the House's procedures. They feel that the House has been abused by Labour Members over a long period—*[Interruption.]*

Mr. Nick Hawkins (Surrey Heath): Does my right hon. and learned Friend agree that shouting by Government Members from a sedentary position once again reinforces a point that so many Conservative Members have believed for a long time—Labour Members do not care about democracy. They believe in an elective dictatorship, and this motion is yet another example of that.

Mr. Speaker: Order. I know that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) will not answer that intervention.

Mr. Hogg: In view of your comments, Mr. Speaker, I will not respond in detail to my hon. Friend's comments. However, had we more confidence in the democratic credentials of the Labour party, we should be happier with the motion.

The plain truth is that the Bill is important. It will affect many individuals. It also raises technical points of some complexity. One can determine what the amendments should be only as a result partly of representations made from outside and partly from debate in the House. Under the motion, all that we will be able to do with certainty is to table amendments right up until the end of the Second Reading debate, but not thereafter. We should be much happier if we could do so during Committee and during Report stage, if there is one.

That brings me to my final point. We have been told by the Minister of State, Home Office that draft copies of the Bill were given to my hon. Friend the Member for Tiverton and Honiton and, no doubt, to the hon. Member for North Cornwall (Mr. Tyler)—or whoever—in the Liberal Democratic party. That is good as far as it goes, but it does not go far enough. The hon. Member for North Antrim made the point, as did the hon. Member for Belfast, South (Rev. Martin Smyth), that the Ulster Unionists were not given a proper view of any draft Bill. Scottish National party Members have said nothing, because none of them are in the Chamber, but no doubt they were in a similar position.

It is a lamentable state of affairs when significant minority parties are ignored. Indeed, the matter goes much further than that. What are the rights of Back Benchers? I am delighted that my hon. Friend the Member for Tiverton and Honiton received the draft Bill. That is splendid, but as she knows full well, I often proceed on my own agenda, and I would have liked to have seen the Bill—and so, I am sure, would my right hon. and learned Friend the Member for North-East Bedfordshire and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

Mrs. Browning: I remind my right hon. and learned Friend that in my opening remarks I emphasised that although Conservative Front-Bench Members received a copy of the draft Bill last night, as shadow Leader of the House I was concerned about the rights of Back Benchers.

Mr. Hogg: My hon. Friend is always so concerned, which is very much to her credit, but I take advantage of the opportunity to say that it is the duty of the Government to consult the House if they want their legislation to be passed. We are the House; it is not only my hon. Friend.

Mr. Denis MacShane (Rotherham): The House, c'est moi.

Mr. Hogg: No, we are the House, and I even include the hon. Gentleman in that, although I sometimes find that a rather difficult thing to do.

My right hon. Friend the Leader of the Opposition has been saying for a long time that the Government should have published enabling provisions for the legislation some time ago. If the Government had heeded his advice, a draft Bill would have been published 10 or 14 days ago and we would have had an informed discussion last week after proper consultation with the Local Government Association and other representatives. As it is, an important constitutional Bill will be rammed through the House tomorrow on the back of this motion and a timetable motion, the contents of which we do not know—and on any view of the matter that is profoundly unsatisfactory.

4.46 pm

Mr. Nick Hawkins (Surrey Heath): My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for North Antrim (Rev. Ian Paisley) have made a particularly important point about the fact that a copy of the draft Bill was provided only for official Opposition Front-Bench Members and not to the hon. Gentleman, even though, as he pointed out, he is the leader of a party in Northern Ireland.

[Mr. Nick Hawkins]

I have the advantage of having a copy of that draft Bill. One of the significant changes to the Bill since last night refers, as the hon. Gentleman suspected it would, to Northern Ireland. Clause 4 contains no fewer than six changes to the text about Northern Ireland—*[Interruption.]* I am trying to restrict my comments to the motion. The concern expressed by the hon. Gentleman—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. If the hon. Gentleman wants to be as good as his word and to restrict his comments to the motion, he will have to wait another day to continue with his point.

Mr. Hawkins: My point concerns the way in which amendments can be tabled, and it was made by the hon. Member for North Antrim. He is a party leader, but he did not have the advantage of seeing the draft Bill, as my hon. Friend the Member for Tiverton and Honiton did, so it is difficult for him to know how to table amendments. As he says, much of the Bill relates to Northern Ireland. One of the significant changes made to the Bill since last night relates to the text on Northern Ireland, and I have counted no fewer than six amendments. That makes it more difficult to table amendments—

Mr. Deputy Speaker: Order. The motion is not concerned with difficulty; it is simply about timing.

Mr. Hawkins: I am grateful, Mr. Deputy Speaker. I simply wanted to echo the point about minority parties which was made by my right hon. and learned Friend the Member for Sleaford and North Hykeham. It will be difficult to debate amendments when even the leaders of minority parties have not have the chance to see the draft Bill.

4.49 pm

Mr. Charles Clarke: With permission, Mr. Deputy Speaker, I shall respond briefly to the debate. On an earlier point of order, I apologised to the leaders of Northern Ireland parties for the difficulties. I subsequently learned that part copies were given to the party offices yesterday evening, but they took more time to emerge than is desirable. I apologise again for those difficulties.

I emphasise that whatever the date until which local elections are postponed, we need legislation forthwith to effect the postponement. That is why we are using this rapid process, and everybody agrees that it is in the greater interest of all those involved in the local elections rapidly to enact the legislation.

Mr. Forth: Surely the Minister must concede that we have been put in this position because the Prime Minister has delayed making his decision until the last possible moment, so to say that we must agree to the motion because of the timetable for the local elections is to put things back to front.

Mr. Clarke: I hear that political point, but I simply say that the Prime Minister likes to take decisions on the basis of the facts, rather than on the basis of situations that otherwise might become apparent.

The main point to make on the motion is that the House has only one matter to determine: does it wish to extend the rights of Members to give notice of amendments, new clauses and new schedules? That is the only issue that must be addressed.

Sir Nicholas Lyell *rose—*

Mr. Brady: Will the Minister give way?

Mr. Clarke: No, I will not give way.

I hope that the House will agree that we should extend the rights of Back Benchers to ensure that we have a more informed debate, and for that reason I commend the motion to the House.

4.51 pm

Mr. Graham Brady (Altrincham and Sale, West): I had not intended to speak in this debate, but I am forced to do so, as the Minister was not prepared to deal with a brief inquiry that I directed at him. He has spoken very briefly, which, of course, is an improvement on what he originally offered to do; he originally was not going to have the courtesy to reply to the debate. Will he give us some small detail of the Government's timetable for the provisions? That is directly pertinent to the matter that we are debating. If the timetable is to be particularly compressed, there will be additional difficulties in tabling and debating amendments or new schedules.

Mr. Deputy Speaker: Order. The point the hon. Gentleman makes is not only repetitious, as it has been made many times during the debate, but outside the strict terms of the motion.

Mr. Brady: I am grateful to you, Mr. Deputy Speaker. I do not seek to repeat any point at all; of course, I have not made a speech in the debate.

Before hon. Members decide how to vote in any Division that may be called, it is important that they know the practical implications of the motion. If we allow amendments to be tabled before the completion of Second Reading, the Minister must intimate whether that will be our only opportunity to table amendments or whether we shall have other opportunities to do so and whether there will be a period between the conclusion of Second Reading and the commencement of the other stages.

Mr. Forth: On a point of order, Mr. Deputy Speaker. Can the House do anything to protect the Chair from being harangued by the Government Deputy Chief Whip, who is probably asking for a premature closure?

Mr. Deputy Speaker: It is perfectly in order for any hon. Member to approach the Chair at any time.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. Would you care to help me on one matter? I can, of course, understand the ruling that an hon. Member is out of order, but the word "repetitious" troubles me. Having been a Member for 20 years, it occurs to me that our arguments are repeated many times, and when did that become—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman must be familiar with Standing Order No. 42.

Mr. Brady: We are all familiar with Standing Order No. 42, Mr. Deputy Speaker. I do not wish to detain the

House. As I said at the commencement of my remarks, I had not intended to speak. I hope that the Minister will take note of the fact that hon. Members on both sides of the House understand how important it is that we know the Government's timetable before we arrive at a conclusion on the motion. I implore him to think again, and not to be so arrogant as to refuse to give important information that is directly pertinent to the matter in hand.

Mr. Miller: May I ask the hon. Gentleman a straight question? Is he in favour of extending the normal practices of the House for the purposes of this business, or is he in favour of sticking to the normal practices?

Mr. Brady: I am grateful to the hon. Gentleman for making some very interesting interventions, in one of which he suggested that the Leader of the House had inadvertently misled the House in a statement on Monday. However, I am pressing the Minister on the vital point that we cannot make a rational judgment on the motion unless he is prepared to give us important but simple information on whether the timetable will be tight and compressed, whether there will be a gap between Second Reading and Committee and whether we shall have a longer period to debate—

Mr. Deputy Speaker: Order. The hon. Gentleman is repeating himself, and in my hearing. The fact of the matter is that what the motion seeks to do is quite independent of any other timetable motion, which presumably will be discussed by the House on a future occasion.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. You were good enough refer me to Standing Order No. 42, but might it not help the House if it knew that repetition per se is not objectionable? Repetition is objectionable only if it is tedious.

Mr. Deputy Speaker: That will be a matter for my ruling.

Mr. Brady: The timetable may be outwith the scope of this motion, but my point is simple. My decision on how I cast my vote in any Division on the motion will depend very much on the Minister's response to my question.

Mr. Bercow *rose—*

Mrs. Browning: On a point of order, Mr. Deputy Speaker. You were not here at the beginning of the debate, but I am sure that you will have followed what happened. Before the conclusion of this debate, may I please have an answer to the question that I asked initially? Will manuscript amendments be acceptable on all stages of the Bill tomorrow?

Mr. Deputy Speaker: I cannot add to the ruling that Mr. Speaker gave a short while ago. It was entirely definitive, and I stand by it.

Mr. Brady: I was about to give way to my hon. Friend the Member for Buckingham (Mr. Bercow).

Mr. Bercow: Does my hon. Friend not agree that, on the question of the tabling of amendments, probably the most worrying feature of the debate so far is the fact that the Minister does not seem to know whether the contents of the motion are prescriptive or merely permissive?

Mr. Brady: My hon. Friend makes an important point. More to the point, the Minister does not appear to know whether the Government intend to timetable this business or what timetable will be applied.

Mr. Deputy Speaker: Order. The hon. Gentleman is either wilfully or carelessly mishearing my rulings. This motion has nothing to do with the timetabling.

Mr. Brady: My aim was quite the contrary, Mr. Deputy Speaker. Without challenging your ruling, I was simply seeking to conclude my sentence but, at that point, you interrupted my remarks.

Mr. Deputy Speaker: Order. The hon. Gentleman should consider his reputation in the House before making such a suggestion. I advise him to desist from continuing with that argument.

Mr. Brady: That is precisely what I was trying to do, Mr. Deputy Speaker. I was attempting to conclude a sentence, to conclude a point and to conclude my remarks. All I want from the Minister is an indication of what the timetable will be, because that will inform my decision.

Mr. Deputy Speaker: The hon. Gentleman will be in serious trouble if he goes on defying the Chair after a ruling has been made. I take it that he has now sat down and concluded his speech.

4.58 pm

Sir Nicholas Lyell (North-East Bedfordshire): The common objective of us all must be to try to enact sensible legislation on this fairly narrow point. It is plain that, regardless of the time that there may be between the Bill's different stages, it will be a tight timetable. The Leader of the House tabled this motion to enable amendments to be tabled before Second Reading, which is unusual.

When you, Mr. Deputy Speaker, were not in the Chair—Mr. Speaker was in the Chair—a perfectly logical supplementary question was asked. Will amendments be considered by the Chair—you were not here, but you might have to consider them—in Committee and on Report?

Mr. Deputy Speaker: Order. The Chair has a collective memory on these matters and the right hon. and learned Gentleman will have heard me respond to the hon. Member for Tiverton and Honiton (Mrs. Browning), repeating, in effect, Mr. Speaker's ruling on that question. The position is unchanged and the motion before the House in no way affects that speculative situation.

Sir Nicholas Lyell: You called me to order, Mr. Deputy Speaker, and I fully understand that, but may I raise a point of order about the collective memory of the Chair? I have been here throughout the debate, so I have a collective—or, at least, an individual—recollection of what was uttered. What came home to me was that Mr. Speaker made it clear that you, in your capacity as

[Sir Nicholas Lyell]

Chairman of Ways and Means, will consider amendments in Committee. I take it that you will also consider amendments on Report.

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is again going over the same ground. Mr. Speaker has given the correct position. Such matters will be considered in due course. This, however, is not the time.

Sir Nicholas Lyell: I shall return to my serious point. Much legislation has been erroneous in this Parliament, not least because time for debate has been unduly truncated. The process of debate—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is again directing his remarks towards the amount of time that is available for discussion. That is well and good, but it is not within the terms of the motion to extend the normal time in which amendments can be tabled. It is a separate matter.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. May I build on what my right hon. and learned Friend said?

Mr. Deputy Speaker: No. I have dealt with that.

Mr. Hogg: On a separate point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: The right hon. and learned Gentleman begins by saying that he wants to build on one matter and then changes his ground. Can he be clear?

Mr. Hogg: Yes, of course. Mr. Speaker said that it was for the Chairman of Ways and Means to give a ruling. You could give a ruling now on whether you will accept manuscript amendments during the Committee and Report stages—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is testing the patience of the Chair. Mr. Speaker said that the matters would be discussed on their merits. That is the exact position.

Mr. Andrew Mackinlay (Thurrock): Incidentally, when would you like the election?

Mr. Deputy Speaker: That is most assuredly not a matter for me.

Sir Nicholas Lyell: My final remark was directed at the importance of our ability to table amendments at an appropriate time so that Bills can be properly considered and their errors corrected. All hon. Members will realise that the legislative process is not the monopoly of the Government of the day; it relies on the will of the House. The procedure, which you, Mr. Deputy Speaker, are astute in protecting, is designed to give every Member due opportunity to contribute to proposed legislation in the hope—sometimes misguided; often well directed—that it will better meet the country's needs.

Mr. Forth: Has my right hon. and learned Friend resolved for himself the dilemma that we all face? Given that the motion allows amendments, new clauses and new schedules to be tabled before Second Reading, is he, like me, going to draft those today speculatively, or does he intend to table them at the last minute when he has heard that debate?

Sir Nicholas Lyell: My understanding is that I am entitled—indeed, encouraged—to table amendments, new clauses or new schedules now and until a decision is made on Second Reading. I also understand that I am entitled to table amendments in Committee for your consideration, Mr. Deputy Speaker, to be dealt with as you think fit. I might be looking too far ahead and further guidance might be forthcoming, but I believe that, in addition, I will be able to do that on Report. I shall do my best to do all those things.

Mr. Forth: Given the circumstances that the motion outlines, does my right hon. and learned Friend believe that he has sufficient opportunity to receive representations from local government interests in his constituency? Such representations would inform the process—

Mr. Deputy Speaker: Order. That is completely irrelevant to the motion.

Sir Nicholas Lyell: I entirely understand that. The answer to my right hon. Friend's question would depend on the time that was allocated.

One has to have time in which to table sensible amendments; we must also have an opportunity to reflect. I shall determine the amendments that I shall table pursuant to the ruling on which I am concentrating. If I have calculated correctly, the time available lasts until tomorrow night if the Elections Bill receives a Second Reading. Following the Chair's guidance, which we have just received, I anticipate further discussions on timetabling, with which we cannot deal now.

The Bill is complex.

Mr. Dale Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. Some extremely important prospective legislation has been tabled on the Order Paper for discussion today. The whole world awaits it. The measure will be discussed in Parliaments throughout the world. When will we end the nonsensical debate that we are currently holding? Conservative Members are wasting time. Why will they not stop?

Mr. Deputy Speaker: The debate is proceeding in order. When it does not, the Chair takes corrective action.

Sir Nicholas Lyell: The hon. Member for Workington (Mr. Campbell-Savours) will bear in mind that we are discussing a complex Bill. We want to get it right—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is incorrect. We are not discussing a Bill, but a technical motion, which extends the amount of time for tabling amendments. That is the sole, narrow point before the House. If the right hon. and learned Gentleman is not prepared to stay within my ruling, I suggest that he remain seated.

Sir Nicholas Lyell: Of course, I always stay within your rulings, Mr. Deputy Speaker. In directing our

attention to the amendments that the motion gives us an opportunity to table, our objective is to improve the Bill. I hope that the House supports that.

Rev. Martin Smyth: On a point of order, Mr. Deputy Speaker. I am trying to keep within the rules of the debate. At the beginning of our proceedings, the Minister apologised to the minority parties. He also said that the Northern Ireland Office or someone else had advised him that we had been given information through our offices late last night. I must put it on record that some of us were here until late last night. I understand through consultation with the leader of the Democratic Unionist party that notice was sent to Stormont. Surely the information should be provided to us here rather than in Stormont.

Mr. Charles Clarke: Further to that point of order, Mr. Deputy Speaker. As the hon. Gentleman acknowledged, I apologised earlier for what had happened. I want to clarify matters further, and I shall write to him and his colleagues with a full account of events.

Question put:—

The House divided: Ayes 325, Noes 11.

Division No. 172] **[5.8 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brinton, Mrs Helen
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James

Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Greg Pope.

NOES

Body, Sir Richard
Chope, Christopher
Davis, Rt Hon David *(Haltemprice)*
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(E Londy)*
Shepherd, Richard
Smyth, Rev Martin *(Belfast S)*
Taylor, Sir Teddy

Tellers for the Noes:
Mr. Eric Forth and
Mr. Crispin Blunt.

Question accordingly agreed to.

Ordered,

That, in respect of the Elections Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.

Orders of the Day

International Criminal Court Bill *[Lords]*

Order for Second Reading read.

5.22 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I beg to move, That the Bill be now read a Second time.

At the outset, I remind the House that the Bill has attracted wide support and interest around the country. Non-governmental organisations from Amnesty International to the Red Cross and Save the Children have all supported it. Some of those organisations will have tuned in at 3.45 pm in order to follow the proceedings of the House. I have to say that they will have viewed with incomprehension the proceedings they have watched for the past hour and a half, which have correspondingly reduced the time available to debate this historic step on international justice.

Mr. Eric Forth (Bromley and Chislehurst): Rubbish.

Mr. Cook: If the right hon. Gentleman wants to continue to decry the views of those organisations, I warn him that, from what I know of Bromley, it is precisely the place where many members of Amnesty International, the Red Cross and Save the Children live. I hope that those members saw the gesture that he made as he dismissed his constituents' views.

There could be no more appropriate week in which to consider the Bill on International Criminal Court ratification. Only three days ago, ex-President Milosevic was arrested. He is today in prison—a fate far better than that which befell the many thousands of victims of his wars in Croatia, Bosnia and Kosovo.

There could be no clearer case for the need to achieve international justice than that of Milosevic. We have all seen the harrowing photographs of his victims: the starved prisoners of the concentration camps in Bosnia; the families burnt when their homes were fire-bombed in waves of ethnic cleansing; the hundreds of thousands of Kosovars fleeing terror; and the corpses of the men of an entire village, whom I saw where they had fallen herded together in a farm outbuilding to be massacred by paramilitaries.

I warmly echo the statement by President Kostunica that Milosevic's arrest proves that no one is above the law. Ex-President Milosevic has been arrested for his crimes against the Serb people. I believe that it will be valuable for the Serb people to learn the scale on which Milosevic looted their country; that he made himself rich while he made them poor; and that he rigged their elections and abused the power that came with the false results.

Milosevic was not a great nationalist, but a great enemy of the Serb people. I therefore support Milosevic being charged and tried for his crimes in Serbia, but that can be no substitute for a trial of Milosevic for his atrocities against the other peoples of Yugoslavia. As soon as Milosevic has submitted to legal process for his crimes in Serbia, he must be surrendered to the tribunal in The Hague to face justice for his crimes against Bosniacs and

Kosovars. I urge the Government of Serbia to make that day more certain by serving Milosevic with the indictment drawn up by the war crimes tribunal.

What makes the case of Milosevic unusual is the fact that there is an international tribunal to pursue justice throughout the former Yugoslavia. Apart from Rwanda, no other part of the globe has an international mechanism to call dictators to account.

Mr. Menzies Campbell (North-East Fife): Does the Foreign Secretary agree that it would be entirely wrong to see proceedings against Mr. Milosevic in Serbia on the basis of allegations of corruption and fraud as in any way a substitute for his appearance in The Hague on the basis of indictments consisting of allegations against him in respect of crimes against humanity? It should not be thought, should it, that an appearance in Serbia will somehow constitute a tholing of his assize?

Mr. Cook: I entirely agree. I have said that on a number of occasions over the past three days. I think that what is happening now can serve as a useful step along the road, ensuring that more people in Serbia understand the importance of handing Milosevic over for trial in The Hague. It can, however, be only one step along a road whose end must be in The Hague, where Milosevic must stand trial for his wider atrocities.

As I was saying, it is only in the former Yugoslavia and in Rwanda that such mechanisms are available. There is no institution to bring to justice the Idi Amins or the Saddam Husseins, and there is nowhere for the victims of their crimes to seek redress before the law. That is the case for a standing international criminal court.

Both international criminal tribunals are providing a valuable remedy for crimes against humanity, but months if not years were lost in devising the structure of those tribunals and drawing up the rules of procedure. That is the case for a permanent centre of legal expertise and agreed procedures.

I began by referring to the wide support for the Bill throughout the British community of non-governmental organisations. There is also support from the legal community that is as near to being universal as is possible among lawyers. Even the Opposition have hitherto expressed enthusiastic support for the establishment of an international criminal court. The hon. Member for Chesham and Amersham (Mrs. Gillan), who speaks from the Front Bench most frequently on the issue, is on record as saying:

"I have mentioned our broad support for the court, support the Conservative party has offered for decades. We have always supported the principle, and shall continue to do so by helping the Minister in any way that we can."—[*Official Report*, 27 October 1999; Vol. 336, c. 945.]

The Opposition now have an opportunity to prove how helpful they wish to be.

Mr. Gerald Howarth (Aldershot): As the Foreign Secretary knows, I represent Aldershot, which is the home of the British Army. Perhaps he can tell us what support there is for the Bill among senior service men, and what reservations any of them may have entered, privately or otherwise.

Mr. Cook: The hon. Member for Chesham and Amersham has been helpful by asking my right hon. Friend the Secretary of State for Defence what representations he has received from the armed forces. He answered, on 16 March, "None." I refer the hon. Gentleman to that answer, which continues:

"The priority of the Ministry of Defence in the drafting of the . . . Bill and its passage through Parliament has been to ensure that members of the armed forces are fully protected from malicious or ill-founded prosecution . . . The armed forces have been closely involved in the consultation process. I am confident that the Bill . . . provides all necessary protection."—[*Official Report*, 16 March 2001; Vol. 365, c. 756W.]

I hope that that reassures the hon. Gentleman.

Mr. Howarth: I am grateful to the Foreign Secretary, but can he tell us what reservations the British Government intend to enter, as, for example, the French Government have?

Mr. Cook: I remind the hon. Gentleman that there is no provision in the statute for reservations. The French Government made a declaration; we have not yet resolved the question of whether we would wish to make one, but such a declaration would of course have no legal effect.

Mr. Julian Brazier (Canterbury): Will the Foreign Secretary give way?

Mr. Cook: I will, but then, if the hon. Gentleman will forgive me, I must make progress.

Mr. Brazier: Can the Foreign Secretary confirm that, under the treaty as it now stands, if the prosecutor, who appears to be answerable to no one and who is appointed for a fixed nine-year term, decides that a member of this country's armed forces has not been sufficiently or satisfactorily investigated by our own criminal justice system, military and civilian, that prosecutor can decide to pursue a case against that member of the British armed forces?

Mr. Cook: The hon. Gentleman is wrong in his understanding of the statute on that matter. The prosecutor can launch such a prosecution only if he or she can sustain a case that the case was dropped in order to conceal or to protect someone against whom there was a bona fide case. However, it would not be the decision only of the prosecutor. The British delegation to the Rome negotiations had written into the statute the provision that the prosecutor can launch an investigation—let alone a prosecution—only with the approval of the pre-trial chamber of judges.

Indeed, when we reported that outcome of the Rome conference in 1998, the Conservative spokesman in the other place, Lord Kingsland, described the pre-trial chamber as

"a great achievement"

which will

"wash out of the system any bogus allegations."—[*Official Report, House of Lords*, 20 July 1998; Vol. 592, c. 626.]

I hope that that will be of comfort to members of the same party as Lord Kingsland.

It requires 60 countries to ratify the Rome statute before the International Criminal Court comes into existence. The passage of the Bill will put Britain in the first 60. That is important not just because we will have helped to

[Mr. Cook]

bring the court into existence, but because those that have ratified are the only countries with a say in setting up its procedure and appointments. As a country that had ratified the statute, Britain could nominate candidates, vote in the elections of the prosecutor and judges and have a say in the adoption of the procedural rules.

Britain has a long tradition as an architect of legal innovations. The most recent example was the Lockerbie trial, where we created legal history by mounting a trial under Scottish Law in a third country. Britain has much to contribute to ensuring that the International Criminal Court gets off to the best and most sound start, but it is plainly in our own national interest to be there when the crucial decisions are taken; for our own judges to be eligible for election to the bench; and for us to have a say in who that prosecutor will be.

Mr. Donald Anderson (Swansea, East): Would my right hon. Friend like to consider not only what a blow it would be to our national interest, but what view the other countries would take if, having played such a leading part in the formulation of the statute, we were to resile as a result of party games in this place?

Mr. Cook: My right hon. Friend helpfully brings me to a point that I wish to stress. The Bill reflects the statute negotiated at Rome. In the negotiation of that statute, the British delegation played an important role in securing the changes that we wished to see. I pay special tribute to Sir Franklin Berman, the legal adviser at the Foreign Office, who led the British delegation and who deployed his great expertise as an authority in international law to secure a number of improvements that strengthen the Rome statute.

Those included steps that widen the remit of the court. First, the definition of war crimes now applies to internal conflicts, not only to wars between states. That was a highly significant amendment to secure as there have been few wars between states in the past generation, but all too many conflicts within states. Often, such ethnic civil wars produce the most savage crimes against humanity.

Secondly, the offences before the court now include crimes of sexual violence, such as the use of mass rape as an instrument of ethnic cleansing. The British delegation was also instrumental in supporting the power of the court to try those responsible for forcing children into combat.

Mr. David Winnick (Walsall, North): Apart from all the mass murderers since 1945, is it not a fact that, if such a court had been in existence straight after the war, many Nazi war criminals and mass murderers who carried out the most horrifying crimes on behalf of the Third Reich would have been caught and tried? Instead, many of them got to the west or to Latin America and escaped scot free.

Mr. Cook: My hon. Friend makes a valuable and important point. At that time, we did not have a standing mechanism for implementing international justice. Moreover, the time that is lost as the Security Council resolves to establish such a mechanism is valuable time in which evidence can be destroyed and those who are accused can disappear.

Dr. Julian Lewis (New Forest, East): I am grateful to the Foreign Secretary for giving way, and I think that my intervention will not come as a complete surprise to him. I have always supported the principle of what the Government are trying to do with the court. However, could the right hon. Gentleman please advise me why—although the former Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain) wrote to me to say that there was a strong possibility that the Government would be making representations to the new Government of Syria on the continued sheltering of the worst Nazi war criminal still at large, Aloïs Brunner—in February, I was given yet another stonewalling response from the Foreign and Commonwealth Office saying that nothing had been done and that nothing was going to be done? Will the Foreign Secretary please make those representations?

Mr. Cook: I am not sure that I would accept the hon. Gentleman's characterisation of stonewalling. The issue of Mr. Brunner's existence has been raised on many occasions with the Syrian Government, most notably by France, which is the jurisdiction within which he has been convicted. *On all occasions, the Syrian Government* deny all knowledge of him or suggest that, in so far as they have knowledge, he is dead. If the hon. Gentleman can furnish me with fresh evidence with which I can challenge that assertion by the Syrian Government, I would be very happy to do so.

Ann Clwyd (Cynon Valley): Will my right hon. Friend give way on that point?

Mr. Cook: I shall give way to my hon. Friend, and then I must make progress.

Ann Clwyd: My right hon. Friend is making a very important point. Although I very much welcome the establishment of the International Criminal Court, its powers will of course not be retrospective, and my right hon. Friend is making the point that very valuable time will be lost. However, United Kingdom courts already have jurisdiction over crimes—including the crimes of torture and of hijacking—that are committed outside the United Kingdom by non-nationals. Earlier, my right hon. Friend said that Saddam Hussein could not be tried by a future international criminal court for past crimes. He could, however, be tried under the other system. Why have the British courts not taken action against leading members of the Iraqi regime who are responsible for hijacking and kidnapping British citizens in Kuwait?

Mr. Cook: Of course we will pursue any practical or reasonable way of bringing Saddam Hussein to justice. Currently—perhaps regrettably—the prospect of Saddam Hussein being held to account within British jurisdiction is highly theoretical and I do not anticipate circumstances in which he would enter our jurisdiction. However, although my hon. Friend is correct that the effect of the International Criminal Court Bill is not retrospective, it will catch every crime from the moment that it comes into effect. For me, that is one of the reasons why we should make all possible speed in bringing the treaty into effect, which requires those 60 countries to ratify it. I hope that Britain will be one of them.

Mr. Andrew Mackinlay (Thurrock) *rose—*

Mr. Cook: If I could ask my hon. Friend to allow me to continue, I shall undertake to give way to him later.

I was describing the gains secured by the British delegation at the Rome conference. There were other gains to be secured in the sanctions available to the court. On those, the British delegation secured two important points of principle. First, the court will have the power to order those found guilty to pay reparation to their victims. That reflects the reality that those who abuse their power to torture and murder also abuse their power to make themselves rich.

Secondly, the court will not have the option of ordering the death penalty. The Government have consistently lobbied against the death penalty in all circumstances. We therefore successfully resisted attempts by other countries to include the death penalty in the sanctions available to the court. We took the view that it w[illegible]be inconsistent to lobby internationally against the [illegible]a penalty while extending such a power to an international court.

Perhaps the greatest achievement of the British delegation was to secure overwhelming support for an international criminal court. At the end of several weeks of negotiations, 120 countries voted for the statute, and only seven voted against.

The Bill makes provision for the UK to meet its obligations to the International Criminal Court and therefore enables us to ratify the Rome statute. It may be for the convenience of the House if I briefly set out the principal purpose of each part of the Bill.

Part I defines the International Criminal Court by reference to the terms of the Rome statute. The Bill follows closely the provisions of that statute.

Part II provides for the arrest of suspects indicted by the International Criminal Court and puts in place an expedited procedure for their transfer to The Hague. In practice, these circumstances are likely to arise only when a national of another state who has been indicted by the International Criminal Court visits the UK.

Mr. Douglas Hogg (Sleaford and North Hykeham): The Secretary of State has referred to the extradition procedure under part II. Will he confirm that the Bill contains no provision for the competent court considering an extradition application to review the merits of the arrest warrant, or the application to deliver?

Mr. Cook: The right hon. and learned Gentleman is correct. As I said, the Bill proposes an expedited system of transfer that follows very closely the system adopted by the previous Government for transfer in relation to the war crimes tribunal for the former Yugoslavia. It has been standing procedure to expedite transfers required by an international court. We are not dealing here with normal extradition between two countries.

Part III of the Bill enables us to give full assistance to International Criminal Court investigations—for example, by the seizure of evidence and by interviewing suspects and witnesses. There is also provision for freezing property and assets at the request of the court.

Part IV of the Bill provides for prisoners convicted by the International Criminal Court to serve their sentences in British jails. It sets out how we shall put into effect other orders of the court, such as those involving forfeiture of assets, restitution and compensation.

Part V incorporates into domestic law the offences in the statute of the International Criminal Court. Domestic courts will have jurisdiction over such crimes committed in the UK or committed by UK nationals anywhere in the world. These provisions will also apply to anyone resident in the UK, irrespective of their nationality or of the country in which the alleged crime was committed. That removes any concern that the absence of such a provision could leave Britain a safe haven for war criminals who have not yet been indicted by the International Criminal Court.

Mr. Jeremy Corbyn (Islington, North): Does my right hon. Friend accept that there could be a serious loophole in the Bill unless there is a clear definition of the term "residence"? A person claiming to be in transit through the country could be just as big a criminal as someone who is resident here, but would escape justice.

Mr. Cook: I am deeply sceptical that our courts could be bamboozled as easily as my hon. Friend seems to suggest. The concept of residence is not novel in law, and I am sure that the courts will be confident and comfortable when it comes to dealing with it.

Mr. Mackinlay: Lord Archer of Sandwell, the former Labour Solicitor-General, took a different view of that in another place. In addition, the templates of other comparable statutes, such as the one passed in Canada, contain a provision for universal jurisdiction, rather than a residential qualification that is subject to interpretation. I hope that the Government will reconsider that in Committee.

A question has been raised about executive jurisdiction, and I want to ask my right hon. Friend why clause 21 allows the Secretary of State a discretion when it comes to surrendering a person sought by the ICC. My right hon. Friend rightly referred to the test and the pre-trial provisions, so should not a request from the ICC be acceded to, rather than subject to political discretion?

Mr. Cook: I shall respond first to my hon. Friend's question about the Secretary of State's discretion. The statute provides that that discretion is exercised only in consultation with the International Criminal Court. I hope that that will be some safeguard against my hon. Friend's anxieties.

On my hon. Friend's other point, let us be clear that we are not talking about people who have been indicted by the International Criminal Court. In any case in which people have been indicted by the International Criminal Court, the Bill will give us the authority to apprehend them and transfer them to The Hague for trial. In that sense, the International Criminal Court will have universal jurisdiction. The Bill provides for us to ensure that that jurisdiction applies in Britain.

Mr. Crispin Blunt (Reigate): I want to take the Foreign Secretary back to the achievements of Sir Franklin Berman and his team in their negotiations. The right hon. Gentleman mentioned the pre-trial chamber of judges and said, in reply to an intervention, that it would review a decision of a prosecutor who had, in effect, gone bad and was bringing prosecutions against countries which should not be brought. Will the Foreign Secretary confirm that it also works the other way, and that when prosecutions are not brought by the prosecutor, it is possible for people to appeal to the pre-trial

[Mr. Crispin Blunt]

chamber—for example, state parties and the Security Council—to get the prosecutor to overturn the decision and proceed with a prosecution?

I should be grateful for the right hon. Gentleman's clarification, because I am not quite sure of the terms of article 15, which seems to indicate that the prosecutor and the pre-trial chamber must both decide whether there is a reasonable basis on which to proceed. It is not clear whether one can appeal to the pre-trial chamber for a prosecution to proceed when the prosecutor has decided not to do so.

Mr. Cook: I was asked about the safeguard on the prosecutor, on the basis that the prosecutor is not accountable. The pre-trial chamber is a safeguard against malicious or vexatious use of that power. Any state party can refer a matter to the International Criminal Court, and I welcome that. I can envisage circumstances in which we, as a state party, might wish to use that initiative to make a reference to the International Criminal Court. The Security Council can also make such a reference in circumstances in which it believes that the matter raises issues of threat to international peace and order.

I should like to conclude my description of the Bill. Although we are not obliged by the Rome statute to incorporate these offences into our domestic law, we believe that part V provides an important safeguard for British citizens. It means that in all circumstances Britain will be able to pursue any bona fide allegation of an offence by United Kingdom citizens through our domestic courts, rather than allowing proceedings to take their course through the International Criminal Court.

The central point of these provisions is to enable the International Criminal Court to launch prosecutions against war criminals who cannot be tried because the system of law and order in their state has collapsed or because the criminals themselves are too powerful to be held to account by their own people.

The Rome statute creates the post of an independent prosecutor who can launch both investigations and prosecutions. The independence of the prosecutor is an important point of principle which Britain fully supported. The problem with dispensing international justice through the creation of ad hoc tribunals is that agreement has to be sought every time through the Security Council. The independence of the prosecutor means that a prosecution can be initiated, even in circumstances in which one or other member of the Security Council might have sought to block it.

I stress that in creating this international remedy, there is no intention to release Governments from their obligation to maintain a domestic remedy for crimes against humanity; on the contrary, it is a fundamental principle of the Rome statute that the best place to try any crime is at the national level. The international community has not established a court so that its individual members can abdicate their responsibility to hold their citizens to account before domestic courts.

Mr. William Cash (Stone): On the compatibility of the international and the domestic courts, where is the line drawn between the two in respect of the mental test that is applicable to a criminal act? Will offences be judged on the same basis? What remedy is to be made available for any vexatious attempts to bring people to justice when that is not justified?

Mr. Cook: I am happy to assure the hon. Gentleman that the statement of the offences in the Bill and the statement of the offences in the statute of Rome—the basis on which the court will act—are identical. In schedule 8, the issue of intent is repeatedly stated in terms of the offences. The offences, as set out there, are identical to those that will be in the statute.

Since the hon. Member for Stone (Mr. Cash) asks about vexatious prosecution, perhaps I can turn to the how the Bill and the court may affect British service personnel. I am aware of the concerns that some service personnel may end up before the International Criminal Court. Those concerns are misplaced. We took great care during the Rome conference to make sure that the service personnel of the UK—or, for that matter, of our allies—could not be exposed to politically motivated prosecutions.

In the first place, the International Criminal Court has no authority to initiate an investigation where the allegations have already been examined by the appropriate national authorities. The International Criminal Court will be a complementary jurisdiction—that is to say, it will only step in when states have proved themselves incapable of investigating, or unwilling to investigate, a crime against humanity.

Members on both sides of the House should have a robust confidence that the British legal system has adequate remedies for crimes against humanity and can satisfactorily demonstrate to the International Criminal Court that any such allegations have been properly investigated and, where appropriate, prosecuted. In short, British service personnel will never be prosecuted by the International Criminal Court because any bona fide allegation will be pursued by the British authorities.

Mr. Brazier: Will the Foreign Secretary give way?

Mr. Cook: I will on this occasion, but I say to the hon. Gentleman that we have already lost an hour and a half of this debate and others will wish to speak.

Mr. Brazier: I understand that. However, if there were to be a case involving special forces—or a covert operation in which the identity of the people concerned had to be kept secret not only for their protection but for that of their families—how would we be able to show a special prosecutor that an adequate investigation had been carried out while maintaining the veil of secrecy if allegations were made by an enemy?

Mr. Cook: It is no new legal principle that those who may be investigated may retain their anonymity. That is observed regularly in Britain and I do not see the problem there. However, the provisions on this matter in the Bill closely parallel the provisions in the statute setting up the war crimes tribunal for former Yugoslavia. The previous Government acceded to the war crimes tribunal for former Yugoslavia in the full knowledge that there were several thousand British service men in the area. I suspect that the hon. Gentleman will be aware that that included some of those to whom he has just referred.

Although the previous Government knew that those personnel were serving in former Yugoslavia and would come within the remit and scope of the war crimes tribunal, that did not prevent them—quite properly; I approve of what they did—from agreeing not only that the tribunal should be set up, but that Britain should fully co-operate with it. They were right to do so because they were confident that the circumstances would not arise in which British personnel would be exposed to a vexatious prosecution. If that were right in the case of former Yugoslavia and the British personnel on active service in difficult circumstances there, it is equally valid in respect of the Bill and the International Criminal Court.

Indeed, it is in the best interests of our armed forces that the Bill is enacted. The Bill ensures that all the International Criminal Court crimes are also offences under British law and can be investigated and prosecuted by British authorities. Without the Bill, our forces personnel would be at greater risk of prosecution before the International Criminal Court.

Nor does the creation of an international criminal court change the law under which our armed forces operate. The definitions of war crimes in the statute are already part of the well-established law of armed conflict. They are already binding on our armed forces and form part of the basic training of every British officer. Indeed, most of the wording on the crimes committed during combat is wording drawn from the Geneva Convention Acts 1957 and 1995, both of which were brought to Parliament by a Conservative Government.

I regret that the United States does not yet feel able to ratify a statute which it has signed. I fully appreciate the importance to the United States of the liberty and safety of its personnel. Britain also has many service personnel on duty abroad and, for the reasons I have given, we are confident that they are not at risk from mischievous prosecution.

We will continue, as a friend and ally, to encourage the United States to join the International Criminal Court because it will give us a mechanism to address the rogue states which concern us both. The most powerful argument is always by example and if we want to overcome the doubts within the United States, the best way to do so is to show our own confidence in the court by taking part in it.

Sir Nicholas Lyell (North-East Bedfordshire): Supposing, heaven forbid, that we or the United States were ever in a position where we had to use nuclear weapons. Who would take the decision as to whether that offended against the ICC statute?

Mr. Cook: I am happy to reassure the right hon. and learned Gentleman that that matter was, indeed, debated in Rome. There is no offence within the Rome statute or before the International Criminal Court on the use of nuclear weapons per se, although the circumstances in which they are used are always a matter of judgment. However, that is a matter of judgment that any British Prime Minister or US President would have to exercise in the present state of international law. The statute does not make any change, nor is there any reference to nuclear weapons. The possession of nuclear weapons is not an offence.

We should ratify because the International Criminal Court will give practical expression to values and principles which I hope the whole House upholds: that those who commit crime should not go unpunished and that justice should be available to the victim through legal process. Those are strong principles, but they also have a powerful practical effect.

The reason why we have laws against theft is not primarily to punish the thief but to deter them from committing the crime. Too much blood has been spilt in recent decades by dictators confident that they would never be held to account. From now on, totalitarian regimes will know that they can be held to account for crimes against humanity. They will be no more above the rule of law than Milosevic. If the International Criminal Court deters just a single future Pol Pot, it will have justified its creation.

The other reason why every civilised society insists that crime must be punished by the rule of law is to prevent the victims or their relatives from taking the law into their own hands. In my experience, one of the greatest problems in drawing conflicts to a close is the cycle of revenge killings that perpetuate ethnic hatred. That produces a psychology in which the other ethnic community is held collectively responsible for the individual guilt of any of its members. By placing criminal responsibility where it rightly belongs—on the head of the individual—the International Criminal Court will help us break the mentality of revenge killing. It will make an important contribution to the process of reconciliation, without which there is no secure peace.

These are powerful assets. They are why the International Criminal Court is supported both abroad and at home. Not a single one of the responses to the draft Bill opposed it in principle. I hope that the House will be able tonight to show the same unity in giving a warm welcome to a Bill which offers the hope of justice to the victims of oppression and which only dictators need fear.

5.59 pm

Mr. Francis Maude (Horsham): I agree with much of what the Foreign Secretary said, especially about the broad principles that inform the Bill. As I said when we briefly discussed the matter in the debate on the Queen's Speech in December, we support the Bill in principle. When the right hon. Gentleman first made a statement on the subject, we accepted that there was a case for establishing such a court. We expressed some initial concerns about the statute of Rome, many of which remain unresolved. We perceive some serious flaws in the Bill, but we are willing to work with the Government to resolve them, so that it reaches the statute book in a form that all will find acceptable.

We welcome, as everybody must, measures that will allow those who have committed crimes against humanity to be brought to book. That is clearly common ground. In the other place, the Bill received the constructive support of the Opposition, and we will take the same approach here. Where we agree with it, we will say so; where we believe it can be improved, we will seek to amend it, as we have already done; and where there are parts with which we simply do not agree, we will oppose them.

Let us consider the case for having a permanent International Criminal Court. The Foreign Secretary has rightly said that in recent years there have been continued breaches of international law of a most hideous kind, including ethnic cleansing in former Yugoslavia, genocide in Rwanda and mass murder in East Timor. Indeed,

[Mr. Francis Maude]

activities currently being sponsored by the Mugabe regime in Zimbabwe could well attract the attention of future tribunals.

It is right that, in respect of those appalling activities, ad hoc tribunals should be investigating and trying individuals—but that is happening in relation to only two of those theatres. That demonstrates the case for a permanent court. Thousands of refugees from the ethnic conflict in Rwanda have been murdered in recent years, but the mandate of the tribunal is limited to events that occurred in 1994. Crimes committed since then will not be covered by the ICC either, as its remit will not be retrospective.

Mr. Winnick: Is it not odd that someone who has been held responsible for at least half a million murders—I am referring to the person who ruled Uganda until it was liberated in the late 1970s—lives peacefully in Saudi Arabia, occasionally giving press conferences when he is allowed to do so, and the international community shows not the slightest concern about his not being brought to justice?

Mr. Maude: That is a fair point. Such instances make the case for having a permanent International Criminal Court. I do not know off hand whether Saudi Arabia has signed and ratified the Rome statute. If so, the case that the hon. Gentleman cites would be capable of remedy. If not—and the reality is that the court will not have universal coverage for some time to come—it will remain unresolved.

Mr. Mike Gapes (Ilford, South): One reason why there will not be universal coverage is the attitude of the United States Administration. Will the right hon. Gentleman take the opportunity to urge that Administration, and the Senate, to ratify the treaty?

Mr. Maude: I will come to the American position in a while and deal explicitly with that point.

Against the clear deficiencies of the—currently two—ad hoc tribunals, we must balance the questioned effectiveness of the International Criminal Court. Serious commentators have questioned its effectiveness, and we believe that there are many deficiencies in the Bill. The case for a permanent court is founded on deterrence. It is said that the bad people who today think that they will get away with crimes against humanity will think again if they know that there is a court in permanent session with powers to pursue them wherever they are. In some cases, that may well be so, but it is not a panacea, any more than the existence of national courts guarantees that no one will commit murder in their own jurisdiction.

We must acknowledge the advantages of ad hoc tribunals, which can be flexible and are focused on a specific area, but on balance we accept that the argument for a properly working International Criminal Court, which will give a consistent form of justice, is persuasive.

Mr. Hogg: My right hon. Friend is familiar with the requirement of British law that a person may not be committed for trial unless there is prima facie evidence to support the accusation. It is clear that under the Rome statute a person can be sent for trial abroad in the absence of any test of whether there is such prima facie evidence. That makes me uneasy, and I would be grateful for my right hon. Friend's views on it.

Mr. Maude: My right hon. and learned Friend is a practising lawyer, whereas I am a long-retired one: I have put my past behind me. As I understand it, the provision for a pre-trial panel of judges—

Mr. Hogg: It is outside our jurisdiction.

Mr. Maude: That is an absolutely fair point. No doubt my right hon. and learned Friend will want to be on the Committee that considers the Bill and pursue these matters in detail.

Our serious concerns about the detailed provisions lie not with the concept of a permanent court but with the Bill as it stands. As I understand it, 139 countries have signed the statute and 29 have ratified it. As the Foreign Secretary said, the court will not be established until 60 of the signatories have ratified. There is of course a big difference between signing and ratifying. Signing is merely an expression of some intention to ratify.

This is an important consideration in the light of the question asked by the hon. Member for Ilford, South (Mr. Gapes) about the United States. States that had not signed the treaty by the end of last year would have been excluded from detailed negotiation of the Rome statute in years to come. That is explicitly why America and Israel signed up at the last minute, on 31 December 2000.

We are still a long way short of the number of ratifications needed to set up the court. Australia signed up but has not yet even begun to introduce a Bill to ratify. Japan has not even signed. Israel signed but laid down many conditions.

Mr. Robin Cook: I want to put in a good word for Japan and one or two other countries that the right hon. Gentleman has cited. Japan has not signed because it has no technical legal position to do so: it can only accede. It intends to accede, and will effectively sign and ratify at the same time. There is no lack of intention to join.

Mr. Maude: I hear what the Foreign Secretary says.

The United States has signed but has said explicitly that the statute in its current form should not be ratified. When, on the last possible day to allow the United States to remain in the negotiation process, President Clinton signed the Rome statute, he said:

"In signing, however, we are not abandoning our concerns about significant flaws in the treaty. In particular, we are concerned that when the court comes into existence, it will not only exercise authority over personnel of states that have ratified the treaty, but also claim jurisdiction over personnel of states that have not . . .

The United States should have the chance to observe and assess the functioning of the court, over time, before choosing to become subject to its jurisdiction.

Given these concerns, I will not, and do not recommend that my successor submit the treaty to the Senate for advice and consent until our fundamental concerns are satisfied."

There is, therefore, a real concern in America.

The Foreign Secretary referred to several matters that have caused concern to commentators; he said that they were the same as those relating to the statute that set up

the ad hoc tribunals, especially the international criminal tribunal in respect of Yugoslavia. However, although it is one thing to agree to provisions that apply only to an ad hoc tribunal for a particular area, which one hopes is time limited and does not involve embedding such provisions in domestic law, it is another thing to agree to provisions that are to be embedded in domestic law in such a way as to be avowedly difficult to amend, because the law would have to reflect internationally negotiated matters under an international treaty.

Mr. Corbyn: The right hon. Gentleman well describes the American wish to be part of the negotiations but not of the process. Will he go further and say that the United States ought to be part of the whole process and should not be allowed to exempt itself from it? If the US were allowed to get away with that, it would undermine the process.

Mr. Maude: The hon. Gentleman's use of language is somewhat puzzling; he refers to the US being "allowed to get away with it" and says that it should not be permitted to be exempt from the process. America is a grown-up country that can make its own decisions. If a country as committed to law and freedom as the United States is concerned that the process has what President Clinton—not some republican President—describes as "significant flaws", we at least owe the Americans the courtesy of listening to what they have to say, rather than asking questions from the comfort of Britain. Many more American than British citizens are committed overseas in their armed forces, so we should be ready to listen to their concerns.

Mr. John Bercow (Buckingham): Although, as my right hon. Friend pointed out a moment ago, Israel is only a relatively recent signatory, on account of reservations that it entirely legitimately expressed at the 1998 Rome conference, will he confirm that the historical record shows that Israel has been an enthusiast for the concept of the ICC since the early 1950s?

Mr. Maude: I think that is correct. Israel's concerns—like those of the Opposition—do not flow from opposition to the concept of an international criminal court, but from anxiety as to how it will work in effect and about the dangers that could arise.

Mr. Tony Worthington (Clydebank and Milngavie): The right hon. Gentleman criticised the language of my hon. Friend the Member for Islington, North (Mr. Corbyn), but my hon. Friend's question was a good one. Do Her Majesty's Opposition urge the United States Government to overcome their difficulties and sign up to this law?

Mr. Maude: Rather than urge the US Government to sign up to something about which they have—as President Clinton put it—"fundamental concerns", I would urge them to engage in the negotiating process as their signature allows them to do, in order to negotiate, over time, changes that would remove their concerns. Many of the concerns expressed by US Administrations of both colours are similar to those of the Opposition and are, I suspect, shared by countries such as Israel.

Mr. Mackinlay: What are they?

Mr. Maude: I am coming to that; the hon. Gentleman leads me neatly to my next point. The right course is to address those concerns so that the International Criminal Court will be set up in such a way that we are all comfortable with it.

Mr. Corbyn: I thank the right hon. Gentleman for giving way again on that point. Surely it is a bit off that the United States signs up to the principle in order to be part of the negotiations, but on the penultimate day the President announces that he has not the slightest intention of submitting the matter to the Congress or the Senate, and urges his successor to follow the same course. There will be a sword hanging over the whole process for ever—will the US sign up or not? If everyone says that they want the criminal court process to work effectively, should not all nations be persuaded to sign up to it? Would it not help if the House sent out the message that we think the United States ought to sign up to and ratify the statute?

Mr. Maude: I am not sure that the hon. Gentleman should be haranguing me; he should take the matter up with the Prime Minister, who could put it to President Clinton. It was President Clinton who expressed concerns.

The hon. Member for Islington, North might like to be reminded of the words of the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leicester, East (Mr. Vaz). We wish the hon. Gentleman well in his sad illness and hope that he will recover quickly. The Minister said:

> "The Americans have said that they would like to move towards signing the statute, and we hope that a way can be found to address their concerns."—[*Official Report*, 27 October 1999; Vol. 336, c. 947.]

Rather unusually, I find myself in agreement with the Minister. We, too, hope that a way can be found to address American concerns. Those concerns exist and we should not try to deny—

Mr. Mackinlay: What are they?

Mr. Maude: The hon. Gentleman keeps asking that question. If I had not given way to so many of his hon. Friends, I should have answered it. I shall now do so.

Our first concern is that we have not been told what declarations—if any—will be entered into by the Government. It is odd that we are being invited by the Foreign Secretary to give a Second Reading to a Bill that will give effect to the statute of Rome when the Government have not actually got around to telling Parliament what declarations they will make. The Foreign Secretary says that, of course, the declarations are of no legal effect at all. In that case, it is odd that so many countries have entered into them, describing them as interpretative declarations that will have an impact on domestic law. We are dealing with domestic legislation, not just international law. Such declarations will have an impact on how the Bill and the statute of Rome are interpreted by our domestic courts. There will be an effect on domestic law.

It is regrettable that the Bill has already gone through all its stages in the other place and we have reached Second Reading in this place, yet we have still not been told by the Foreign Secretary what declarations the Government propose to enter. It is unfortunate, to say the least, that the Foreign Secretary has not taken this opportunity to let the House into some of his thinking on

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the subject. Does he expect that the Government will want to enter into any declarations at all? If they do not want to do so, that is a perfectly honourable position. However, it would be nice to know; that would make a difference as to how the House may feel about the Bill. Perhaps the right hon. Gentleman would like to intervene to let the House into his ruminations on the subject. He was somewhat delphic about it earlier.

Mr. Cook: I am happy to stand by what I have already said. A declaration has no legal effect. On the general principle, we do not want to encourage international treaties that are made into a Christmas tree, hung with declarations, by those who accede to them. The great majority of countries which have signed up have made no such declarations. The right hon. Gentleman said that there were many such countries, but at present there are two. One of them is France, which made an interpretative statement; the other is New Zealand, which made a statement rejecting the French statement. In effect, the right hon. Gentleman asks us to accede to the French declaration.

Mr. Maude: The Foreign Secretary seems misinformed. My understanding is that Austria, Belgium, Belize, Finland, France, Israel, New Zealand, Norway and Spain have all entered declarations to the statute—*[Interruption.]* They may be relatively minor declarations; nevertheless all those countries have entered them.

Dr. Phyllis Starkey (Milton Keynes, South-West): Perhaps it would help if the right hon. Gentleman could move from a hypothetical discussion to a real one and suggest the type of declaration that the UK might use. For example, Israel, among others, made the declaration that politically motivated accusations could not entertained. Does he suggest that we should echo that declaration? Could he tell us what "politically motivated" might mean and who would judge what it is?

Mr. Maude: I do not advocate such a declaration. I shall come to the specific declaration that I advocate when I deal with the main amendments that we want to make to the Bill.

I think I can take it from what the Foreign Secretary says that he proposes that the Government will not enter any declarations.

Mr. Cook: We have none in mind.

Mr. Maude: We can take that as a definitive statement that the Government expect the Rome statute to remain without reservations, which is effectively what declarations are. It is helpful to have that confirmed. I think that the hon. Member for Thurrock (Mr. Mackinlay) wanted to intervene.

Mr. Mackinlay: We want to know what the right hon. Gentleman's concerns are.

Mr. Maude: The hon. Gentleman has contained his curiosity very well.

Mr. Cook: If the right hon. Gentleman will allow me, I will clarify the number of declarations. As I said, only two countries have made a statement that queries the legal effect of the statute. The right hon. Gentleman is correct to say that other countries have made declarations; for example, the Austrian declaration to which he referred states that any documents making a request of the Government of Austria shall be in German. I would not rule out the possibility of our making such a declaration, but it has nothing to do with the terms of the statute.

Mr. Maude: To satisfy the curiosity of the hon. Member for Thurrock, I shall move on to our second concern, which is more specific but very deep, and I suspect that it lies behind the concerns of the United States Administration. I refer to the position of the armed forces.

We believe that the Bill does not give our armed forces the protection that they need. War by its very nature is chaotic. There are many examples of events in war in which dutiful, decent officers and men obeyed orders that unintentionally led to the loss of civilian life. There were tragic examples of that during the Kosovo bombings, when bombing orders led to the deaths of civilians. There was also the question of whether it was right to offer protection to the people of Kosovo while refusing to allow allied planes to fly at lower altitudes, which might have reduced the risk to civilians.

Of course, that does not mean that it would be right to accuse the Foreign Secretary and the Prime Minister of being war criminals, as some in Serbia have argued. Nor, of course, does it mean that Lady Thatcher was a war criminal when she ordered the retaking of the Falklands. More importantly, perhaps, it does not mean that the pilots who flew on the missions were guilty of war crimes. It would be wrong, and the British people believe that it would be wrong, if British troops were subjected to politically motivated prosecutions or threats of prosecution for carrying out their duties in distant foreign lands. Yet there is a belief that such a threat exists.

Mr. Nick Hawkins (Surrey Heath): Does my right hon. Friend accept that those of us who represent military constituencies, as he knows I do, share the concerns expressed by the Chief of the Defence Staff when he gave evidence to the Select Committee on the Armed Forces Bill? He made it clear that although he had been advised that prosecution of a junior officer was unlikely, he could not feel that the word "unlikely" filled him with much confidence. Does my right hon. Friend agree with the Chief of the Defence Staff, as I do?

Mr. Maude: I am coming to precisely that point, which is of great importance. The Foreign Secretary and other Ministers can offer all the bland reassurances that we have heard from them, but the reality is that soldiers, sailors and airmen will take seriously the doubts expressed by their military leaders and will, frankly, find them more persuasive than the reassurances of politicians of any colour. These are not fanciful concerns, but Ministers have sought glibly to brush them aside, giving bland reassurances that have failed to allay them.

Mr. Cash: Clause 66, which deals with the mental element or test that I mentioned earlier, says:

> "In interpreting and applying the provisions . . . the court shall take into account any relevant judgment or decision of the ICC."

The number of those judgments and decisions will obviously grow in time. The clause continues:

"Account may also be taken of any other relevant international jurisprudence."

Does my right hon. Friend agree that we need to probe that point extremely carefully as the Bill proceeds through the House, because that provision will probably be incompatible with the sort of mens rea test that we are used to in the United Kingdom?

Mr. Maude: We have specific concerns about the mental intent element allowed for in the statute for some of the offences. If my hon. Friend wants to pursue those points later in the debate or in Committee, he will be doing the House a service.

On our specific concerns about the armed forces, it is helpful to consider recent exchanges. On 7 March, the former NATO commander Admiral Eberle said:

"It is vital that commanders in the field should not be put in a position where they are concerned as to what is right and what is wrong at the expense of risking their own lives and those of the men they command."

On the same day, two daily newspapers, *The Daily Telegraph* and *The Guardian*, carried on their front pages the concerns of several senior military officers about the Bill. *The Daily Telegraph* reported the concerns of senior officers, who said that

"commanders faced either being accused of war crimes or changing the rules of engagement to the point where the enemy could be certain of 'getting his strike in first'."

It went to on to say:

"The International Criminal Court Bill adds to concerns expressed by the new Chief of Defence Staff, Admiral Sir Michael Boyce—and his predecessor, Gen Sir Charles Guthrie—that litigation . . . will diminish capability."

The Guardian reported other officers' concerns, saying:

"'Given wrong rules of engagement [British commanders] could find themselves liable to prosecution as war criminals', a senior defence source warned yesterday. He added that ministers were 'very aware' of such a prospect. He said he was concerned in particular about conflicts and operations, short of a full-scale war, even—paradoxically—where British forces were engaged in support of the UN. Another senior defence source said that future rules of engagement could, for instance, prevent a British warship from attacking a hostile vessel until it was too late."

On Report in the other place, my noble Friend Lord Howell read out some of those reports and voiced the concerns of senior members of the armed forces about the Bill. He said:

"Legitimate anxieties have been aired recently in the newspapers by members of the Armed Forces."—[*Official Report, House of Lords*, 8 March 2001; Vol. 623, c. 347.]

The Government's response was very interesting. Baroness Scotland, the Parliamentary Under-Secretary of State, Foreign and Commonwealth Office, said:

"Although there has been much vaunting in the press of the concerns of the Armed Forces, the MoD has been assiduous in its duties—it has crawled all over the Rome Statute and the Bill and it is content, as are the higher echelons of each of the services."

It is important to note that those words were spoken on 8 March. Baroness Scotland continued:

"They said that they are satisfied that the legislation should not lay the Armed Forces open to prosecution when they are undertaking their legitimate duties as directed by a democratically elected government. We all know that we can get excited about press stories and how much reliance we put on statements that we read."—[*Official Report, House of Lords*, 8 March 2001; Vol. 623, c. 433.]

Mr. Desmond Browne (Kilmarnock and Loudoun): Will the right hon. Gentleman give way?

Mr. Maude: I shall finish this point first, because it is central to the matter.

As my hon. Friend the Member for Surrey Heath (Mr. Hawkins) said, the concerns had been expressed by Admiral Boyce, the recently appointed Chief of Defence Staff, in evidence to a Committee of the House only two days before Baroness Scotland was speaking. The transcript of his remarks only became available some little time later. The House should pay attention to what he said. He was asked about concerns relating to the Bill, and he said:

"I think we need to be very careful indeed that when the Bill is taken through Parliament, we do not put ourselves in a situation where a junior person carrying out orders which he believes to be entirely proper can subsequently find himself in front of the International Criminal Court. So far I have been told that this is unlikely to happen."

Probed a little further, he said:

"I cannot say"—

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle) *rose*—

Mr. Maude: I shall finish the sentence if the Minister wants me to, because the national court would have the opportunity to investigate the case if it were pointed in that direction by the ICC. That is simply an explanation, and I accept that it may be highly unlikely that that eventuality would occur, but when the Chief of the Defence Staff was probed a little further on whether that assurance gave him sufficient comfort, he said:

"I cannot say that 'unlikely' fills me with huge confidence. I would be much happier with a completely unequivocal statement, but I guess that is probably the best I will get."

Mr. Gerald Howarth: Although my right hon. Friend has drawn to the House's attention the clear reservations of the Chief of the Defence Staff, he will have noted that the Foreign Secretary, in answer to my earlier intervention, said that he had received no representations from the Secretary of State for Defence.

Mr. Robin Cook: The Secretary of State had received no representations.

Mr. Howarth: We are getting to the truth that the Secretary of State for Defence had received no representations. Will my right hon. Friend say whether it is likely, therefore, that the chiefs of staff have not been talking to the Secretary of State for Defence about those very serious reservations?

Mr. Maude: If the Secretary of State for Defence says that he received no representations at any stage, we of course accept that. Perhaps the serious concerns that the Chief of the Defence Staff expressed to the Select Committee on the Armed Forces Bill were completely spontaneous. Perhaps he had not thought about such

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matters before, and it was the first time that they had been discussed, but somehow we all find that a tiny bit unlikely.

Dr. Starkey *rose—*

Mr. Maude: I shall give way to the hon. Lady, but then I want to make progress because I know that many hon. Members wish to speak.

Dr. Starkey: I am trying to follow the right hon. Gentleman's argument, and I am in some difficulty. Will he confirm that, when members of our armed forces operate abroad, they have a code of conduct appropriate to the operation that they are undertaking, which sets out very clearly, essentially, what they are allowed and not allowed to do under international law in that situation, and that ordinary soldiers know full well that if they break those rules of engagement, they will be held to account? Will he explain why that is so very different from what he suggests?

Mr. Maude: If the hon. Lady does not understand that there is a real difference in the effect on the mind between those who frequently make instant decisions facing the prospect of disciplinary proceedings in the armed forces, or even prosecution, possibly by a domestic court, and a process that is international in character and out of the control of those who command the armed forces nationally, she should try talking to some of the officers. Indeed, she might like to talk to Admiral Boyce, just appointed by the Government as Chief of the Defence Staff, who is expressing precisely those concerns.

Mr. Browne: *rose—*

Mr. Maude: I shall give way if the hon. Gentleman presses me to do so, but I am keen to make progress.

Mr. Browne: I must press the right hon. Gentleman to give way. I am grateful to him for giving way, and I am listening very carefully to what he says. I understand the distinction that he makes between the temporal nature of the Yugoslav tribunal and the International Criminal Court, and it is an important distinction to make. However, the points of principle—which he seems to share, although he has not actually said so—in relation to the tribunal for the former Yugoslavia and the ICC are identical. His Government made our soldiers subject to that tribunal, which takes precedence over our national courts and is not complementary to them. Did he have those concerns when he, as a member of that Government, made our soldiers subject to that tribunal?

Mr. Maude: To be precise, I was not a member of the Government; nor was I a Member of Parliament at the time. The hon. Gentleman makes the point in the opening part of his intervention that an ad hoc tribunal, which is limited in area and in time, deserves different consideration. The statute relating to the international criminal tribunal for Yugoslavia was not embedded into domestic law, but if the ICC statute were embedded into domestic law, it would be a different matter.

Mr. Browne: What about the principle?

Mr. Maude: Those concerns are not absolute ones of principle; they have a practical effect. If a senior officer of the British armed forces says that they are real concerns, the hon. Gentleman and his colleagues on the Government Benches should at least do him, and our armed forces, the courtesy of taking those concerns seriously. That is what we shall do, which is why we shall probe and press those matters as the Bill passes through the House.

Will the Foreign Secretary categorically tell the House today that Admiral Boyce's concerns have now been completely met and that, if Admiral Boyce were to be interviewed by the Select Committee once again, he would say that he has now been given "a completely unequivocal statement"? Will the Foreign Secretary respond?

Mr. Robin Cook: I am very happy to respond to the right hon. Gentleman because it gives me the opportunity to repeat a passage of my speech that he obviously did not fully absorb when I delivered it. I told the House that British service personnel will never be prosecuted by the International Criminal Court because any bona fide allegation will be pursued by the British authorities. That is certainly unequivocal. No one could point to anything in that statement that lacks conviction; it is a comprehensive statement.

I return to the question that my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) asked the right hon. Gentleman. He is mistaken about the war crimes tribunal. As far as I am aware, no time limit has been set for that tribunal; it can last for ever. It is confined only in its geographical coverage. That coverage contains several thousand British soldiers, and it did when the right hon. Gentleman's Government applied the war crimes tribunal to that region. Why is it wrong for us to act on the same principles on which they acted, when we have a cover that they did not provide for British troops—if they are tried before a British court, the international court does not apply. That was not the case when the Conservative Government adopted the war crimes tribunal. They did not give British personnel the safeguards that we are giving them.

Mr. Maude: The Foreign Secretary asserts that British armed forces personnel will never be tried for the reasons that he sets out, but he put that differently earlier. I was listening to his speech, and he invited the House to put its faith in the robustness of the British legal system, saying that the ICC would, as a matter of automatic trust, accept that such matters had been fully investigated and pursued domestically, so that, in practical terms, there could be no question of their being pursued by the ICC. With respect, that is not the same as providing a cast-iron guarantee, such as that sought by Admiral Boyce, that that will not arise. It is still in the category of being highly unlikely.

If the Foreign Secretary is willing to make the robust assertion that no armed forces personnel can be pursued in the ICC in that way, perhaps he would like to tell that to the very active QC, Geoffrey Robertson, who pursues such matters vigorously and has said:

"We have to be prepared, in theory"—

I accept that he said, "in theory"—

"to have our soldiers tried"

by the ICC. That is the point. Of course it is highly unlikely, in theory, that that will happen, but if the Foreign Secretary wants to tell the House that it will be impossible for British armed forces to be pursued in that way, let him agree to amendments that would make it impossible. If he is so confident, let him amend the Bill to make it impossible. That will provide the sort of reassurances sought by the senior officers whose concerns have been clearly articulated.

Mr. Brazier: My right hon. Friend makes a very powerful case. Will he make it clear to the House that if we find the Government unwilling to accept the amendments that he will move in Committee, and if the Third Reading debate takes place before the election, we shall feel obliged to vote against the Bill on Third Reading?

Mr. Maude: I am coming on to that.

Mr. Worthington *rose—*

Dr. Starkey *rose—*

Mr. Maude: I shall not give way again because I have given way a great deal. I have been speaking for quite some time, and many hon. Members wish to contribute to this important debate.

I shall deal with the four specific amendments with which we are particularly concerned. They are necessary for the Bill to become acceptable, and we shall want to vote against the Bill's Third Reading if they are not accepted.

Mr. Denis MacShane (Rotherham): Excellent. Tell the court's supporters.

Mr. Maude: It is interesting that the hon. Gentleman says "Excellent". That shows that, if anyone is playing political games, it is not Conservative Members. We have repeatedly and consistently said that we are in favour of the proposal, but it is spectacularly helpful of the hon. Gentleman to point out to the House and to the public that one party—the Labour party—is relentlessly playing electoral politics with the issue. We have taken a consistent and principled stance, and we shall continue to do so.

Mr. Worthington *rose—*

Mr. Corbyn *rose—*

Mr. Maude: No, I shall not give way. I have given way a great deal and I now wish to make progress.

Lest it be thought that it is only the Conservatives who have expressed concerns, Labour Members might like to reflect on the view of Lord Shore of Stepney. He said:

"We are putting ourselves unnecessarily in the dock by accepting a number of these foolishly agreed clauses in the convention."—[*Official Report, House of Lords*, 8 March 2001; Vol. 623, c. 360.]

Mr. Robin Cook *rose—*

Mr. Maude: Before I deal briefly with the amendments that have to be made, I shall give way to the Foreign Secretary. I must then make progress.

Mr. Cook: The right hon. Gentleman owes it to the House to put right the quote that he attributed to Geoffrey Robertson, whom I know well. The right hon. Gentleman quoted Mr. Robertson as saying:

"We have to be prepared, in theory, to have our soldiers tried".

The right hon. Gentleman should share with the House the full quote. Mr. Robertson, in fact, said:

"It is entirely fanciful to imagine that a Briton against whom there is evidence of war crimes would not be prosecuted under our own military procedures. We have to be prepared, in theory, to have our soldiers tried, but"—

this is what he added—

"in practice, it will never happen."

The right hon. Gentleman did not give us that bit.

Mr. Maude: If the Foreign Secretary is absolutely confident that that will never happen, let him agree to amendments to the Bill that will guarantee that it will never happen. If he agrees that, he will have our support. As it is, we have relayed the concerns felt by those who take responsibility for the command of the armed forces, and they have not been reassured. If the Foreign Secretary agrees to our amendments, we will be willing to support the Bill on Third Reading.

Sir Nicholas Lyell: I hope that the Foreign Secretary will listen to this point. Is my right hon. Friend aware that Mark Littman QC, who is a highly respected international lawyer, took a view that is worthy of serious respect, even though I do not agree with it? He took the view that the Government acted unlawfully in the bombing of the former Yugoslavia—

Mr. MacShane: Him and other loonies.

Sir Nicholas Lyell: Mr. Littman took the view that the Government acted unlawfully in the bombing of the former Yugoslavia and Belgrade in the circumstances that arose over Kosovo. If the international prosecutor took that view, what would prevent members of the Government—

Mr. Crispin Blunt (Reigate): On a point of order, Madam Deputy Speaker. I apologise to my right hon. and learned Friend, but is it in order for an hon. Member to call another hon. Member a loony?

Madam Deputy Speaker (Mrs. Sylvia Heal): That is not the kind of language that one would expect from hon. Members.

Sir Nicholas Lyell: Although I hope to be called to speak, I was asking my right hon. Friend the Member for Horsham (Mr. Maude) a question. A serious lawyer suggests that the British and United States Governments acted contrary to international law and that what they did might have been a war crime because quite a lot of civilians were killed. Could the Government have been prosecuted? We need an answer to that question before we drive the Bill through.

Mr. Maude: It is extremely revealing that the Foreign Secretary introduced the Bill in a portentous and

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high-minded way. Since then, however, we have been bombarded with fatuous interventions from a sedentary position from his Parliamentary Private Secretary.

Mr. MacShane: I am not the PPS.

Mr. Maude: Perhaps the hon. Gentleman is even lowlier than that. He has derided the real concerns that many serious people—much more serious than him—have about this important Bill. Others outside will have noted the extraordinary spirit of levity with which he has approached the debate.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) asks an important question and it deserves an answer from the Government. I hope that Ministers will respond properly to that concern later.

Mr. Mackinlay *rose—*

Mr. Maude: No, I shall not give way, even though it is tempting to take an intervention from the hon. Gentleman. I shall proceed to the conclusion of my speech.

We believe that four amendments must be made to the Bill. First, there should be a seven-year opt-out as the French have taken and as is provided for under article 124 of the Rome statute. When it comes to the robust defence of the national interest, perhaps we sometimes have something to learn from the French. They deliberately took that option to ensure that there would be no hazard to their armed forces.

Secondly, the Secretary of State should have discretion over the issuing of warrants from the ICC. That could be accomplished by the Government making the appropriate interpretative declaration to the statute. It is important to ensure that a vindictive prosecution pursued for the settling of political scores cannot be undertaken in that way.

Thirdly, the legal test for what a military commander "should have known"—as set out in clause 65—needs revising. It is extremely subjective and that gives most concern in relation to the protection of our armed forces. When the issue was raised in the other place, we were told that the Bill must reflect the exact words of the statute of Rome, but that cannot be correct. In relation to this specific provision, the Canadian Government and Parliament have a different form of wording, which imposes a tougher test—a higher test for the mental element, which is one of the concerns that my hon. Friend the Member for Stone (Mr. Cash) mentioned. They talk about a test of criminal negligence and about a commander who would be criminally negligent if he did not know the facts that put civilians at risk.

Fourthly, the Government should amend the Bill to ensure that, if the statute is ratified, the declarations that the Government intend to make—if they make any—should be laid before both Houses of Parliament. I understand that there is the possibility that declarations and subsequent renegotiations may create new criminal offences in domestic law and it is right that those should be properly debated by the House before they pass into our law.

That is the very minimum that must be put into the Bill to protect our armed forces from vexatious and malicious prosecutions by rogue states. Let us be under no illusion about that. Let us remind ourselves of the immense power that the court will have and that it needs to have if it is to pursue the high objectives that have been claimed for it.

We support the principle of the Bill on Second Reading, but, as I have said, for us to be able to support it on Third Reading, the Government will need to show a great deal more flexibility and a great deal more readiness to meet the proper concerns that many people have raised than they have done hitherto. We look forward to that happening in Committee.

6.49 pm

Mr. Tony Worthington (Clydebank and Milngavie): I am astonished and delighted to be called so early in the debate; I have just finished writing my speech.

We have just listened to a strange contribution. The right hon. Member for Horsham (Mr. Maude) said that he supported the Bill, without showing the slightest enthusiasm for it. Every difficulty was considered in the context of an Army commander. This Bill is of great importance and we should greet it with enthusiasm.

I congratulate my right hon. Friend the Foreign Secretary and his team. I am certain that our presence at the Rome conference and our contribution towards the Rome statute were important factors in reaching this solution. I doubt whether the outcome would have been the same under the right hon. Member for Horsham.

The Bill is welcome. Many of our predecessors here and in the other place have been persistent in their efforts to reach this day. A gap in our justice system is gradually being filled—we are trying to end the cliché that it is easy for the greatest mass murderers to get away with their crimes when single murderers are convicted. I like what Kofi Annan said about people all over the world wanting to know that humanity can strike back. Tyrants and demagogues have unacceptably exerted their power without running the slightest risk that they might have to face up to justice. I congratulate my right hon. Friend on the Bill. We have to accept that it is not perfect. It will not create a perfect International Criminal Court, but it is crucial that we do not allow the best to drive out the good. If we do not embrace the Bill, we will not get an ICC. It is an important step.

Other significant improvements in recent years include the two tribunals for Rwanda and the former Yugoslavia. Their establishment is a great achievement, and the previous Government must take some credit for that. Offenders are appearing before them and being convicted. They are powerful examples of international co-operation. I could not believe it when the Conservatives said that they want to set up the ICC, but only if it does not apply to us. They do not want anyone from Britain to be subject to its control. We cannot give that unconditional undertaking. We have to hope that no one from Britain will be involved in it—we can ensure that that happens by investigating and prosecuting in our courts.

Dr. Julian Lewis: The hon. Gentleman probably knows that I have always been sympathetic to the principle behind the Bill. However, one matter puzzles me. What happens if a British service man is prosecuted and acquitted in this country, but the ICC prosecutor is

not satisfied with that result? Will he be able to draw the service man into the process, or is he safe from such prosecution?

Mr. Worthington: That is an important question, which the hon. Gentleman asks with respect. He wants to know that people will not be subject to vexatious inquiry. I am satisfied from what I have read that if we go about an investigation in good faith, no individual has the power to take further action. Any additional inquiry—never mind a prosecution—would be subject to a court of judges. Those safeguards were negotiated in Rome.

We must make progress and it is only by establishing the ICC that we will get the procedures right. We will not do that if we stand outside the process. I had no great hopes of satisfactory prosecutions in the two tribunals for Rwanda and the former Yugoslavia. However, they are an inspiration to us, as was the Scottish prosecution of the Lockerbie incident. People who would not otherwise have been prosecuted for a mass murder have, because of international co-operation, been convicted. I recently returned from a visit to Cambodia with the International Development Committee, and I am pleased to hear that steps are being taken to establish an international court to prosecute those who committed the atrocities under Pol Pot. That is also an inspiration. Such actions mark the way forward.

The way to make progress and to get the answers that we want is by making an enthusiastic commitment to the cause rather than by doing what the Conservatives suggest. The major value of the ICC is its preventive or deterrent effect. We hope that people will be deterred by the knowledge that their crimes will be punished. Indeed, the Conservatives have always argued about the power of deterrence for domestic crime. If it works in a national context, it should work in an international setting.

I am enthusiastic about the Bill, and my comments must be taken in that light. I should like retrospection explained in more detail. Why will the ICC consider only offences that occur once it has been established? Idi Amin was mentioned; I am puzzled as to why his crimes will not be subject to the ICC. I accept the principle of retrospection if an act was not a crime when it was committed and the person involved did not know that he was breaking the law. However, I find it difficult to accept that principle if people are mass murderers and criminals in many other ways. Why is the ICC not a legitimate technique to bring them to justice? Why will they not be subject to it?

The hon. Member for New Forest, East (Dr. Lewis) recently visited Sierra Leone, where he will have seen the consequences of heinous crimes against humanity. It is unacceptable that it is not possible to bring Foday Sankoh's followers to justice for their crimes against the children of Sierra Leone. Those were crimes any time, any place. I am puzzled that people cannot be prosecuted because the law cannot be applied retrospectively. Perhaps I have not read enough about it, but I think that others will wonder why the criminality of Idi Amin and Foday Sankoh are not subject to the ICC.

The Act and the court will be imperfect. However, we must press on. One major imperfection is that different states will not be equal before the law. The countries that are currently subject to international action are Rwanda and the former Yugoslavia. They are not big, powerful countries. The people who will be prosecuted are not likely to be on the winning side in a dispute. It will not enhance the court's legitimacy if the only people prosecuted are small fry and losers. Some actions, such as those by Russia in Chechnya, have been criticised. The actions of the Chinese in Tiananmen square have been criticised, and in some countries, the scale of the bombing of civilians would constitute a war crime. However, powerful countries such as America would not be prosecuted for them.

The court's partiality is therefore a huge imperfection, but we gain more by establishing an International Criminal Court than by delaying. Its existence would have helped us with the problems that President Pinochet posed. Fifty or 60 years ago, establishing the Nuremberg trials was right; so is setting up the International Criminal Court.

We must begin by reducing the problems. The court is a weapon against wickedness, not the solution. We must build up a culture of justice with which to replace the current culture of immunity. The establishment of the Yugoslav tribunal must give Milosevic some palpitations. Now that the rotten core has fallen, it will not be long before Mladic and Karadzic are taken, too.

The imperfections are substantial, and one of the major problems is the attitude of the United States. The only good action that Clinton took in his last days in office was signing the relevant statute. However, there is no optimism that the new presidency will do anything other than run away from the International Criminal Court. American attitudes to international activity are a genuine problem. I hope that the Americans have been taken aback by the universal expressions of disgust about their attitude to Kyoto, but I doubt it. Their attitude to the International Criminal Court is also disturbing. Donald Rumsfeld, the US Defence Secretary said:

"American leadership in the world could be the first casualty of the Court".

What does that mean? Does he mean that leadership stems from activities of which the court would disapprove? Does he believe that the United States would be subject to vexatious complaints? The statute's framework provides protection against that. Rumsfeld's comments are so antagonistic that it is difficult to ascertain the progress that can be made. That seriously weakens the court.

Ann Clwyd: On this occasion, I want to defend the United States, which had an ambassador for war crimes; other countries should follow suit. One of his roles was negotiating an agreement with Cambodia, which my hon. Friend mentioned, and persuading that country to set up a war crimes tribunal there.

Secondly, the United States funds Indict, an organisation that I chair and that exists to bring Iraqi war criminals to justice. We have collected evidence—and continue to do so—that we have submitted to the Attorney-General for prosecutions that can take place in this country. The United States should be complimented on that.

Mr. Worthington: I compliment the United States on that, and I stress that there are many Americans whose internationalism hon. Members want to encourage. However, it would be wrong to deny that we were depressed by recent comments from the United States.

[Mr. Worthington]

We must press ahead with the International Criminal Court. Who remembers who was President of the United States at the time of the Nuremberg trials? [HON. MEMBERS: "Truman."] I know that it was Truman, but his words at the time do not matter; the establishment of the Nuremberg trials matters. We must set up the International Criminal Court and thus establish a framework for the compliance of countries such as America and China, which are not currently involved in it.

I was pleased that the right hon. Member for Horsham said that he would approach the Committee stage constructively. I hope that that will happen. I recently endured the Committee stage of the International Development Bill. All hon. Members supported it and our Committee stage should therefore have been useful—but it was not.

Mrs. Cheryl Gillan (Chesham and Amersham): It is interesting to know that the hon. Gentleman does not believe that the Committee proceedings on the International Development Bill were useful. For hon. Members' information, five new clauses were not even debated because we ran out of time. I was not aware of any truly constructive contributions from Labour Members; Conservative Members made them all.

Mr. Worthington: If hon. Members examine the record of proceedings, they will realise that it is difficult to interrupt a monologue. We had to endure a monologue from the hon. Lady. Her approach was not constructive, and she gave us no opportunity to make suggestions.

I concede that there should be many opportunities to consider the details of the Bill and for Members of all parties to make constructive suggestions. If the hon. Lady leads for the Opposition in Committee, I hope that she will approach the Bill in that spirit. She will then realise that Labour Members can contribute constructively if they are allowed to do so.

We should greet this important measure enthusiastically. It is being introduced at the end of the Parliament, and I am proud of our achievement. Let us get the proceedings under way and then make the necessary improvements.

7.6 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): My party supports the Bill warmly and unequivocally. I have long taken a great interest in the extension of the effectiveness of jurisdiction over crimes that are committed internationally. Within 12 months of becoming a Member of Parliament, I introduced a little-remembered measure, the Tokyo Convention Bill, to enable the then Labour Government to ratify that convention and thus deal with crimes, including hijacking committed on board aircraft. It is therefore satisfying not only that such a major and historic step forward in extending international criminal jurisdiction over war crimes was agreed in the 1998 statute of Rome, but that we are among the first to try to implement it.

I want briefly to mention the position of the United States, in which I have a peculiar personal interest. The United States has not always been reluctant to get involved in establishing an international criminal jurisdiction to deal with war crimes and crimes against humanity. In the last years of the second world war, the American Administration took on Churchill as Prime Minister and Viscount Simon as Lord Chancellor, who sought to deal with the top Nazis by simply lining them up and shooting them as a political act. Led by John J. McLoy, who was assistant Secretary for War, and Judge Sam Rosenman, the American Government took the view that it was important to bring those criminals to justice. They argued intensively with the British Government for two years. It was not until the San Francisco conference that Anthony Eden was finally forced to agree. I have a particular interest in that, because my late American father-in-law, who was later the president of the American Law Institute, was the counsel to Jack McLoy, who came to this country and drew up the documents that were ultimately ratified in San Francisco.

I therefore ask the Americans to look to their history and see what an important role they played in establishing this approach to dealing with the scourge of the 20th century—the horrors of crimes committed in war, which have violated the Geneva conventions and whose perpetrators have not always been effectively brought to justice.

The American Administration—both the present Administration and that of President Clinton before it—have felt some inhibitions about the process—perhaps for political reasons, but also because Americans have been brought up in a climate of constitutionalism, which makes them keen to ensure that any steps they take do not result in a denial of due process to their own citizens. However, it has to be said that by taking their present stance on this matter, they have done little to protect American citizens—a point that has been well made by at least as many authoritative lawyers in the United States as have been cited on the other side of the argument by the official Opposition.

States that adhere to the statute of Rome will be at liberty to prosecute American citizens under their own domestic arrangements, whether or not the United States decides to adhere to the system. Indeed, if the United States does not adhere, under the terms of the statute it will be open to the International Criminal Court to prosecute American citizens who have committed international criminal offences. It is therefore hard to see the argument that lies behind the current American position.

I much prefer the argument deployed by the Foreign Secretary when he opened the debate: that by adhering to the system, ratifying the statute and enacting the provisions that incorporate into our domestic law crimes under the statute, we enable ourselves to deal with such matters within our own jurisdiction. That is the same broad principle that was cited in support of the incorporation of the European convention on human rights into our law. It is better to have rights secured by our domestic law, so that such crimes can be handled by our domestic courts—and it seems to me that that argument applies as much in the United States as it does in our own different constitutional situation. Moreover, there is no reason to believe that the countries that have come together to draft the statute, with such regard to process, will create a system that offers less protection than the due process of law enjoyed by citizens of the United States within that country.

Surely this country is right to be among those that seek to bring the provisions into early effect. We must recognise that the great doubt that people in this country have had about the efficacy of international law has stemmed largely from an awareness of the impotence of international law in the face of the most monstrous crimes in history committed in the last century—its impotence to do more than denounce the offences, and its failure to bring to justice the Pol Pots, the Idi Amins, the Saddam Husseins and the others whose names will reverberate throughout history for the monstrosities that they have been guilty of perpetrating.

This development must be welcomed in broad terms, and it is right that the British Government should seek to lose no time in bringing it into operative effect. In passing, however, I would like to say a little about the process domestically. A number of people in both Houses of Parliament, including myself, have taken the view that Westminster's procedures for the scrutiny of treaties have been deficient. The speech by the right hon. Member for Horsham (Mr. Maude) to some extent demonstrated the need for different procedures, because by using this adversarial forum he was able to make a number of assertions that would not stand up to the kind of scrutiny to which they ought to have been subjected before the Bill was brought before us.

If we had automatic pre-legislative scrutiny of treaties, I believe that the right hon. Gentleman would not have been able to cite *The Daily Telegraph*'s unnamed authorities as evidence in support of his views. If Admiral Boyce, to whom he alluded, had raised a serious objection, it could have been scrutinised and argued about specifically in Committee.

Mr. Maude: I was not relying on the report in *The Daily Telegraph*; I was using it to show that when that remark was quoted, that was all the evidence that we had, because the transcript of the evidence given to the Committee was not available. The Minister in the other place brushed everything aside as mere reports, but it turned out that at the same time, the Chief of the Defence Staff had expressed serious concerns before a Committee of this House investigating another Bill. Despite that, Ministers were pooh-poohing such suggestions and saying, "There's nothing to worry about; the military are happy about this." That was simply not true.

Mr. Maclennan: I do not think that the right hon. Gentleman is invalidating my point by referring to Admiral Boyce in that way. He may even be fortifying my case for better and more direct scrutiny of the concerns of such people. A remark made in that way, which was clearly not central to the considerations of the Committee in which it was made, was not capable of being examined or answered either by the members of the Committee or by the Government, who, if the military had general concerns, had no doubt considered such matters with them in the consultative process.

Mr. Corbyn: The right hon. Gentleman has hit the nail on the head. Does he agree that one of the great problems is that not only does this House have no right to pre-scrutinise treaties, but it has no say whatever over treaties, only over the consequential legislation? Does he not accept that that is a serious flaw in our democratic process?

Mr. Maclennan: I accept that. I do not argue against the idea that the treaty-making power—the prerogative power—goes effectively unscrutinised, save by the grace and favour of Her Majesty's Ministers. In a modern democracy, that seems wholly unsuitable.

I must acknowledge that there has been some modest movement in the right direction in the past year. In its second report of the Session 1999-2000, the Procedure Committee sought to ensure that if a treaty was laid under the Ponsonby rules, it would be referred to the appropriate Select Committee of the House—appropriate, that is, in the opinion of the Government. Twenty-one days were to be set aside to give consideration to the treaty. We have, therefore, made a modest step in the right direction, although I do not believe that it is nearly enough. I was sorry that the Liaison Committee in another place decided that, owing to resource constraints—which, of course, I understand—it would not at this time set up a comparable Committee, although there are certainly experts in matters such as these in the other place.

If we had had that kind of scrutiny, it would not have been possible for the Opposition to seek to throw dust in the jurymen's eyes in the way that they did, in the long and wholly unpersuasive speech by the right hon. Member for Horsham. He lost sight of the overall objective in raising his concerns in a rather non-specific way. Some of his points had already been answered by the Foreign Secretary. His concern about our military personnel being whisked off to the International Criminal Court by a prosecutor acting irrationally not only seemed fanciful but appear to have been provided for by the fact that the ICC could not proceed in such a case if the matter was being acted on in this country. Such circumstances would block the ICC taking any action.

I look forward to the Bill going into Committee, where I have no doubt that we shall hear in greater detail some of the arguments that have been deployed in rather general terms today. However, we should not allow such matters to deflect us from the substantial step forward that this provision represents for the international community. Many of the decisions taken in the work leading up to the agreement of the statute in 1998 were wise ones. They built on the substantive public international law that existed: it was not a legislative process in that sense.

The procedural arrangements, in whose establishment the British Government played a major part, seem calculated to give reassurance that, although there will be differences in the way in which we conduct criminal trials—there will be no guarantee of a jury, for example—the rule of law will operate. Extensive effectiveness will be achieved as a result of these measures.

This is one of the most important Bills that I have encountered in my 35 years in the House—I celebrated my anniversary on Saturday. In my youth, I was very idealistic about the extension of world peace through world law. I remember reading at that time a famous book by Emery Reeves, called "The Anatomy of Peace". Since then, I have felt more and more that that was a hopeless aspiration. The Bill to some extent rekindles the aspiration towards a deterrence to the kinds of acts that have scarred the previous century, and which I hope will be a diminishing experience in international society in the century in which we now live.

7.24 pm

Mr. Andrew Mackinlay (Thurrock): Before I come to the Second Reading of the Bill, I note that the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) alluded to his 35 years in the House. I suspect that his speech might be his last substantive contribution in this Chamber, although perhaps not in this palace. I hope that he will be resurrected in the gentle pastures of another place. Despite the fact that he started out as a Labour Member of Parliament, and went to lead the Social Democratic party before becoming a Liberal Democrat, I would like to place it on record that, during the two Parliaments in which I have been in the House, he has been a Member for whom I have had admiration. I also appreciate his never-ceasing courtesy and friendship.

I welcome the Bill and recognise how important it is, but I am frustrated that it has taken so long to reach Second Reading. The Canadian Parliament secured Royal Assent for the equivalent legislation last June. I studied the Canadian legislation and introduced my own Bill, modelled on the Canadian law, some months ago. That process showed me that there was greater clarity in the Canadian law than there is in our Bill.

Before the Bill goes into Committee, perhaps the Minister will revisit the Canadian legislation. I shall give a small example of how it helps in terms of clarity and reassurance. Part of it states:

"In proceedings for an offence under this Act the accused may rely on any justification, excuse or defence available under the laws of Canada or under international law at the time of the alleged offence or at the time of the proceedings."

We do not have a comparable clause, no doubt because our draftspersons considered it unnecessary. It is often useful to have such a declaration in a Bill, and a similar provision might have gone some way towards assuaging the concerns expressed by Her Majesty's Opposition.

This is a profoundly important occasion. If we look back over the past 100 years, we see that legislators here and in other democratic Parliaments have tried—they failed, but they tried—to build up, in a fragile way, some international jurisprudence and international tribunals to combat the appalling atrocities of genocide, war crimes and so on. In that context, reference was made to the Nuremberg trials.

I am something of an amateur student of the first world war, and it is interesting that the guiding light for the proposals that we are now discussing was one of the good aspects of the much-discredited treaty of Versailles, articles 228 to 230 of which provided for an international court to deal with war crimes. Eighty years ago next month, trials were opened in the Supreme Court at Leipzig, as a consequence of the treaty, to deal with war crimes. It is true that the trials took place under a German court, but the British team of observers gave them a clean bill of health.

I mention those trials not only for anecdotal reasons but because they were conducted domestically, and the international observers—including the British—thought that they were conducted fairly and appropriately. Our primary intention must be to ensure that the trials of those who commit war crimes and atrocities are heard in domestic courts. That was achieved, to some extent, 80 years ago.

A significant British jurist who was part of our representation at Leipzig wrote:

"'In my view the object of the War Criminals' Trials at Leipzig was to establish a principle, to put on record before history that might is not right, and that men whose sole conception of the duty they owe to their country is to inflict torture upon others, may be put on their trial. As a result of the Leipzig Trials the fact is now on record that German soldiers and sailors have been put into prison by their own countrymen, who acted through no slavish coercion by a successful enemy, but because their consciences were outraged by evidence which their honesty forced them to admit. History will pay far more attention to sentences on German soldiers and sailors of six or ten months' imprisonment, passed by a German Court, than it would to far longer sentences passed by 'military tribunals' of the 'Allied and Associated powers'."

That is a true principle and it should be our primary objective. Trials must take place in domestic courts, but we must have the international court as a safety net in case of failure so that despots and people who fail to recognise wrongdoing can be arraigned before the international community.

Mr. Andrew Rowe (Faversham and Mid-Kent): I am listening carefully to what the hon. Gentleman has to say and I derive from it the comforting thought that, possibly under the new court, we shall depart from the principle that war criminals are always thrown up by the losers, but seldom by the victors. Does he share my budding optimism?

Mr. Mackinlay: That is absolutely correct. It leads me, very appropriately, to a matter that the shadow Foreign Secretary and my right hon. Friend the Foreign Secretary debated. With the greatest of courtesy, I think that both did not so much get it wrong as miss the point.

The shadow Foreign Secretary kept coaxing my right hon. Friend to give an undertaking to reassure those whom he described as our senior military officers—he did not name them—that British soldiers would never be brought before the court. I was somewhat disappointed that my right hon. Friend said that there is no need to make such a declaration as a codicil to our ratification, claiming that it simply would not happen. In a way, that is wrong and slightly foolish. It is wrong because, if we are confident about our position, we should ultimately be prepared to be tested by institutions by which we expect everyone else to abide.

I could cite recent cases, but that might create controversy, so I shall give two historical examples: the massacre at Amritsar, which most people recognise was wholly unjustified, was carried out on the orders of British officers, and no prosecution in the British courts followed the sacking of Cork city by Crown forces 80 years ago. If an international court or institution had existed then, it could have said to the United Kingdom Government, "You have failed, for political reasons, to recognise that Crown forces engaged in wrongdoing. If we have the opportunity, we shall arraign those responsible before the International Criminal Court."

Those examples show why the United States is unhappy about the court. The massacre at My Lai, in which Lieutenant Calley ordered and committed such atrocious murders, is within the memory of every Member

in the Chamber. Although he went through some form of trial in the United States following massive public pressure, it became a charade. We must recognise that even in what we consider to be proud democracies with good court structures, people sometimes fail for political reasons.

We can never say that we will always be able to do that which is right. Therefore, we should submit ourselves to the international court, recognising that, even in our case, politicians, generals or subordinate officers could be subject to it in extreme circumstances, and rightly so.

Mr. Brazier: The hon. Gentleman takes considerable interest in the armed forces. When people put on the Queen's uniform, they accept obedience to their civilian masters. If someone is answerable to a British court martial, he is tried by his peers—people who understand the pressures that he was under. If he goes before a jury, he is tried by his civilian peers. The point about the international court is that legal specialists with no military experience will be able to second-guess a British legal investigative process that may have concluded that neither of those two forums would ever have convicted the man.

Mr. Mackinlay: The point is that the veracity of our courts martial system must be subject to a litmus test of fairness. If we have in place some pretty good ground rules for courts martial, the International Criminal Court will not come banging on the door of the Foreign Secretary or the Secretary of State for Defence, saying, "We want this officer." We would be able to show that matters were being thoroughly pursued and prosecuted and that appropriate sentences would be passed.

Mr. Blunt: That is an extremely important point. The hon. Gentleman refers to a test that must be satisfied and what he considers to be the entirely reasonable actions of our courts martial. He described as a charade the trial of the officer involved at My Lai. I am sure that that was not the view in the United States. Judges will be elected by a majority following a secret ballot of the states that are parties to the convention, and their view of what is a charade or a fair trial may be different from his.

Mr. Mackinlay: In the My Lai example, it is generally held that the court proceedings, the decisions and the executive action of the President of the United States were perverse: the President of the United States—under executive action, not judicial authority—allowed the guy to go home. Clearly, that would not be permissible, and the beauty of the ICC is that it would counteract the judgment of Presidents or Prime Ministers in acting so wrongly.

That leads me to my next point, which was not discussed by the shadow Foreign Secretary and my right hon. Friend the Foreign Secretary. The historical importance of the legislation will relate not so much to the commander in the field as to Presidents, Prime Ministers, Foreign Ministers and Defence Ministers, who will have to pay regard to proportionality. The right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) referred to the use of atomic weapons, but nothing will be changed by the measure. Surely we believe that regard should always be paid to proportionality.

My hon. Friend the Member for Linlithgow (Mr. Dalyell), who is not in his place, has been exercised about the Falklands conflict. I do not always agree with either his historical analysis or his conclusions, but I remember him probing on an unanswered question. Had the aircraft carrier gone down in the South Atlantic, Prime Minister Thatcher would have faced political and military defeat and it has been suggested that using battlefield nuclear weapons on Punta Arenas against Argentina was at least contemplated. I do not want to debate whether that necessarily happened, but some good people think that the possibility was at least explored.

That is where the legislation is important. It will temper the ability of Prime Ministers to use weapons out of all proportion and scale to the situation to save their political bacon. Its long-term effect will be to make people exercise their political views much more cautiously when committing armed forces to conflict.

Mr. Gerald Howarth: If the Bill is enacted, might not a sword hang over a future British Prime Minister? Might not that Prime Minister hesitate before deploying weapons that could protect British troops' lives? Surely the first responsibility of Members of Parliament is to protect our troops, whom we send into battle on our behalf.

Mr. Mackinlay: That has always been so. At present, mercifully, our Governments—Labour and Conservative—have regard to the existing rules of war. If we took the hon. Gentleman's argument, if I can term it thus—he advanced it in the form of a question—to its logical conclusion, we would not agree to existing Geneva conventions and codes of war.

We are, after all, merely building on an arrangement that already exists. We are talking about something that is fragile and inadequate, but we are adding an extra building block to the conduct of international relations and the conduct of war, while reminding politicians and commanders that they must have regard to proportionality. Of course there will always be collateral damage—innocent people will be killed in any war—but politicians and commanders must have greater regard, or at least continuing regard, to balance.

I am surprised that one matter has not been raised—I shall raise it now. I recognise that no easy decisions were involved in the controversial area of the bombing of Dresden, and Nuremberg. Historians will debate the issues for decades. It could clearly be argued that there were military objectives for the bombing and overriding reasons for it to happen, and it is equally clear that many people take the opposite view, but I do not believe that the head of Bomber Command or Winston Churchill could or would have been brought before the international court, because it was obviously a grey area. We are talking about despots, who will use weapons of mass destruction—or genocide—without regard to what represents at least some semblance of justification in terms of the war objective.

Mr. Howarth *rose—*

Mr. Blunt *rose—*

Mr. Mackinlay: I shall give way to the hon. Member for Aldershot (Mr. Howarth) first, and then give way to his commander.

Mr. Howarth: I am grateful to the hon. Gentleman.

The hon. Gentleman says that he dismisses out of hand the idea that the court might have indicted Sir Arthur Harris or Winston Churchill: he says that it is

[Mr. Howarth]

inconceivable that it would have done so in the circumstances. I put it to him, however, that he cannot give the House, our armed forces and the people of this country that absolute certainty, because the court will have a life and a momentum of its own.

Mr. Mackinlay: I can tell the hon. Gentleman and the House that if the had legislation existed, Bomber Harris, Winston Churchill and other commanders would simply have had to contemplate a bit earlier in order to feel confident that, if challenged, they could advance a justification for what had been a very painful decision. We are, as it were, cautioning politicians and commanders that they must take account of certain considerations.

Mr. Blunt: Will the hon. Gentleman give way?

Mr. Mackinlay: Yes, but for the last time; otherwise I might tax the patience of the House, and I have one or two more things to say.

Mr. Blunt: The hon. Gentleman said a moment ago "We are talking about despotic regimes." What he must consider, however, is not just Dresden as a matter of history, but Baghdad as a matter of current events. He must consider circumstances in which the United States and the United Kingdom are on their own in taking actions that will be judged by judges elected through a secret ballot of the majority of the states participating in the treaty.

Mr. Mackinlay: That is indeed how the court will be constituted, but I invite the hon. Gentleman to consider this: unfortunately, the rulers of even the regimes that he and I would consider to be despotic have considered themselves to be legitimate. If the big players such as the United Kingdom and France are not prepared ultimately to submit themselves to an international court, how on earth can we expect the baddies of this world to do so?

As in so many instances, we must say that we are confident enough about our rules for decision-making and our concept of justice to be prepared to submit ourselves to a judicial regime, so that we can exert leverage on regimes we do not like and cause them to submit themselves to this system, or—I shall return to this point—at least persuade them to hold courts in their own jurisdictions when there has been flagrant disregard of, for instance, the rules of war.

Clause 65 lays down explicitly the rules to which commanders must have regard. I expect that they appear in other statutes, but they are useful here as an aide-mémoire for politicians and commanders. The Secretary of State for Defence is not present, but if he were I would have a go at him. In the past year I asked a parliamentary question about Sierra Leone: I wanted to know how many irregulars had used United Nations uniforms or insignia to deceive the Sierra Leone forces or, indeed, British forces. The Secretary of State was very dismissive, as can be seen in *Hansard*, and I was a bit put out. I am pleased to note from article 8, on page 72, that making

"improper use of a flag of truce, or of the flag or of the military insignia and uniform of the enemy or of the United Nations, as well as of the distinctive emblems of the Geneva Conventions, resulting in death or serious personal injury"

is now considered to be a serious international offence. That is an important step forward: the provision will be on our statute, and enshrined in law.

Mr. Gerald Howarth: Where is that?

Mr. Mackinlay: It is on page 72. I will show the hon. Gentleman where it is later.

Let me say something about a matter on which I intervened on the Foreign Secretary earlier. I understand that, under the Criminal Justice Act 1988, the House accepted that there should be universal jurisdiction in respect of cases of torture, enabling United Kingdom authorities to feel the collars of those who might be transient—passing through; just touching the soil—to take them into custody and to prosecute them for torture. Regardless of whether such people are United Kingdom citizens and regardless of whether they are resident, the fact that they are within our jurisdiction enables us both to arrest and to prosecute them. We have not, however, applied the same test in this Bill, and I know that that was questioned by some noble Lords.

I think we should make it abundantly clear that if it is in our capacity to arrest anyone who is guilty of war crimes, genocide or the other matters to which the Bill relates, and to hand that person to our domestic courts where he or she could be tried under the Bill, we should do so. There should not be this blurred, vexatious appeal provision, which is open to misinterpretation—the test of whether such people are resident.

Mr. Worthington: I am glad that my hon. Friend has raised this issue. As he probably knows, the Canadians have used the test of presence in the country rather than residence. Would it have been possible to define Pinochet as a resident? He was certainly present. I think that we should explore the matter in Committee.

Mr. Mackinlay: I have probably missed the most obvious example. Pinochet was present in our country, but he was not necessarily resident according to United Kingdom case law. I hope that we will revisit the issue in Committee to make it watertight, and to ensure that we fulfil both the spirit and the letter of our obligations.

I am proud to have been involved in the debate. I think that when we look back on it in 20 or 25 years the workings of the International Criminal Court will still be embryonic, or at least in their infancy, but we may feel that this evening we took a great step forward that has been denied to other generations. We have tried to create an international criminal court, and to ensure that the despots and wicked people who have killed and maimed whole generations—sometimes whole nations—and have brought good people to war cannot feel that there is a hiding place for them anywhere in the globe.

7.50 pm

Sir Nicholas Lyell (North-East Bedfordshire): I am glad to speak in the debate. The Bill has a noble objective. Every hon. Member would be anxious to see the all too many dictators, international war criminals and perpetrators of genocide brought to justice. In so far as the Bill facilitates that and achieves the bringing to justice of those whom we would all recognise as serious war criminals, it will have our support.

In raising a number of serious questions, I do not wish to resile from my support for that noble objective, but there are serious questions about a Bill that hands international jurisdiction to the world at large in circumstances where we who have very high standards and do everything to maintain them—even if we sometimes fail—lose control. That is why I understand clearly the worries that the United States has. Perhaps I am expressing some of those concerns when I express my serious concerns about the Bill, and my hope that we can make sufficient improvements to it in Committee to overcome them.

For obvious and genuine reasons, the concern tends to be articulated most spiritedly in relation to our own armed forces and to those of the United States. The possibility that they might find themselves arraigned before the International Criminal Court in circumstances that we would think were thoroughly unjust is a genuine concern. The question of whether the Bill complies with article 6 of the European convention on human rights—someone's right to a fair trial in all its aspects—needs to be crawled over in Committee, but I want to deal with the bigger issues of war and peace.

When one is dealing with international war and peace, one is dealing with very difficult issues. Terrible decisions have to be made in the context of international law. Although perhaps 90 per cent. of international law is universal, the most crucial 10 per cent. is often on the margin.

I was Solicitor-General at the time of the Iraq war, when we were bombing Iraq in a formidable way. I was Attorney-General when we were over-flying subsequently and doing many of the things that we are still doing in Iraq. I could sympathise with the present Government when they had to deal with the difficult questions of Kosovo and of international law that underlay the bombing of Yugoslavia in the recent Kosovo war.

I mentioned in my intervention on my right hon. Friend the Member for Horsham (Mr. Maude), the shadow Foreign Secretary, the views of Mr. Mark Littman QC. Although on balance I do not agree with those views—he condemned what we did in the bombing of Yugoslavia as disproportionate and consequently contrary to international law—it is a genuinely difficult question on which it would be possible for international tribunals to hold different opinions.

When it comes to the use of nuclear weapons, one is on very difficult ground indeed, particularly internationally. Let me focus on that point in the context of the way in which the international community views nuclear weapons. About five years ago, the General Assembly of the United Nations raised a question before the International Court of Justice at The Hague. I personally argued the United Kingdom case before that court.

The General Assembly, backing up the World Health Organisation, which I fear had suffered from a bit of entryism, although the General Assembly cannot be accused of that, questioned the legality of the use of nuclear weapons in any circumstance whatever, whereas we in the House today know perfectly well that the ability at least to use nuclear weapons was an absolute essential in the maintenance of peace between about 1950 and the collapse of the former Soviet Union.

The General Assembly said that nuclear weapons could never be used. The judgment of the international court left the door open to the possibility of their use in proper defensive circumstances—it is difficult to construe, but it did leave that door open—but what would be the position if we did have to consider using them? Heaven forbid that we should ever again have to consider using them in the context of Hiroshima and Nagasaki, but if we look carefully at page 72 of the Bill and at paragraph 2(b)(iv) and (v) of article 8, we will ask ourselves whether we were entitled to use nuclear weapons in those circumstances. That is a genuine question.

Mr. Mackinlay: That point has exercised me a lot. The right hon. and learned Gentleman is an advocate and has no doubt provided defence for people in the past. The defence of the United Kingdom and United States in relation to the use of atomic weapons is based on proportionality: invading the land mass of Japan would have involved a colossal and disproportionate loss of allied soldiers' lives, and there was an obligation to minimise the loss of our service men. That was the defence, and it would be accepted as a reasonable defence. For the record, I do not want people necessarily to think that I am defending the use of nuclear weapons, but I can understand the defence. It is legitimate. It is not a grey area. The bomb was a weapon and one has an obligation to use a weapon to minimise one's losses of service men in war.

Sir Nicholas Lyell: The hon. Gentleman, in second world war terms, makes a powerful case, but we may be talking about very different circumstances. Consider how the International Criminal Court is made up. At the moment, 137 state parties are signatories. I understand from my hon. Friend the Member for Reigate (Mr. Blunt) that there are about 170 members of the United Nations General Assembly, so the great majority of the General Assembly—the body that is opposed to the use of nuclear weapons at all—elect the judges. They elect 18 judges and the prosecutor by secret ballot. It is therefore possible that they will elect judges and a prosecutor who have a no doubt absolutely bona fide genuine dislike of a number of things on the international scene, including nuclear weapons. They may have a strong view about the attitude that we are taking to Iraq at the moment. We know that our attitude to Iraq is controversial in international terms, although we believe it to be right. The possibility is wide open that those who prosecute and those judges might take a very different view of the bombing of Yugoslavia: they might consider it disproportionate.

In those circumstances, look at the position of the soldier, sailor or airman, which is what has been concerning our senior officers, including Admiral Boyce. We tend to use our armed forces as surrogates for our politicians in these matters. There will be those who will see the decision of our Prime Minister in Yugoslavia in a very different light—and who would have seen the decision of our then Prime Minister, Margaret Thatcher, on the Belgrano incident in a very different light. I have no hesitation in saying—I was Parliamentary Private Secretary to the Attorney-General and had a close insight into the matter—that the Belgrano was an extremely dangerous warship even if it was very old-fashioned. It was tragic that it was manned by a very large number of inexperienced young men who lost their lives, but it had to be dealt with. The fact that we had an extremely modern submarine that could do that without posing too great a danger did not mean that we were not justified in doing it.

[Sir Nicholas Lyell]

An international tribunal might have taken an entirely different view on the matter had the commanding officer of the submarine, the senior officers or a senior British politician involved in the decision come before it. Those issues are bound to haunt us. Although the hon. Member for Thurrock (Mr. Mackinlay) was right that we should consider those issues, they are also bound to haunt those who take such decisions.

Mr. Gapes: I am not quite clear where the right hon. and learned Gentleman's argument is leading. I suspect that it may be leading to the conclusion that we should tear up our obligations under the Geneva conventions, reject the non-proliferation treaty and adopt a unilateralist view of the world that does not take into account international law in any form because it might be inconvenient for us. I hope that that is not what he is suggesting.

Sir Nicholas Lyell: Indeed it is not—and I noticed the hon. Member for Thurrock worrying about the same thing. I believe very strongly in obedience to international law, and for 10 years I was personally responsible for doing everything that I could to ensure that our Government obeyed international law. I also believe that, in that period, they did obey international law. However, it is a matter of who judges and of whether one is judged by an independent and impartial tribunal that does not have a political agenda. I merely flag that up as a warning, which could be overstated. Nevertheless, we have to think very carefully about what would happen in relation to such issues should they be considered by the international court.

Let us consider the role of the prosecutor. Who will control the prosecutor? The answer is that the prosecutor will be controlled partly by the pre-trial judges. In theory, ultimately, the Security Council will also have some control over the prosecutor. However, whereas in this dangerous world the Security Council cannot do anything positive without unanimity because each member has a veto, in this case, although the United Kingdom, the United States, France and perhaps every other Security Council member—except, hypothetically, let us say Russia or China—believed that a prosecution on which the international court was minded to proceed was really quite disproportionate and inappropriate, they could not stop it unless every member at least withheld its veto. Therefore, that degree of control which has been a very important part of the working of the Security Council in the 50-plus years since the United Nations was established does not work in quite the same way in this case.

I am anxious that we may have to take decisions in matters of war and peace in which our service personnel and our politicians may find themselves subject to prosecution by the international court in circumstances in which we know that that would not be appropriate, and that that might prevent the taking of very necessary and difficult decisions in the international sphere—in relation to Iraq, for example—that we would otherwise take. I can quite see that that is an underlying worry for the United States that we shall have to tussle through and consider very carefully indeed. Those are the main points that I wished to flag up as warnings in relation to the Bill.

Senator Pinochet was mentioned earlier in the debate. I always felt that the people to try Senator Pinochet, if they thought it right, were the Chileans. That is now the position. He is in Chile, and that is correct. However, there is a difference between the European convention on extradition and that proposed in the Bill. In the European convention on extradition, the Home Secretary has a residual right not to surrender someone, for whatever reason he considers proper. Of course, if, in the Home Secretary's view, someone is rightly accused under international law, he would not exercise that right to prevent extradition.

The Bill provides for no such residual right and residual power. It is therefore possible that our armed forces and those to whom our country entrusts those very difficult decisions—the Government of the day—could find themselves subject to courts in inappropriate circumstances. I believe most profoundly that that detracts not one iota from our duty to obey international law. To the extent that the Bill will heighten the realisation that we must obey international law, it will do good. However, if it were to inhibit us in the next 50 years from taking the desperately difficult decisions that have affected war and peace in the past 50 years, so that the member states that elected the judiciary and the prosecutor but did not have to carry the heat and burden of the day were to inhibit necessary, dangerous and difficult decisions, it might do long-term damage.

I hate to pour a little cold water on a Bill that has such noble objectives, but the objective of this House is to ask the difficult questions in the hope that they can be satisfactorily answered.

8.6 pm

Mrs. Louise Ellman (Liverpool, Riverside): On 27 January 2001, a very important event took place in Central Hall in London. That event was the commemoration of the very first national Holocaust memorial day. Those who were present at that very moving and very serious event will have been struck by the way in which the event itself underlined the reason for having a Holocaust memorial day in the United Kingdom. It was about remembering and learning from the lessons of the Holocaust; remembering other horrific acts of genocide, such as Rwanda, Cambodia and Kosovo; and reinforcing the importance of individual responsibility. When the Prime Minister, in his contribution to that ceremony, referred very graphically to a scene from the very powerful film "Schindler's List", the importance of that individual responsibility was highlighted.

I think that it is very appropriate that this Government—the same Government who instituted national Holocaust memorial day—are seeking in the very same year to ratify the International Criminal Court, and to do so as one of the first 60 signatories which are required to enable the court to go into action.

It seems that we have not learned very much in the past 50 years, during which there have been more than 250 conflicts and more than 86 million civilians have died. In the 1970s, 2 million people—40 per cent. of the population of Cambodia—were killed by the Khmer Rouge in the killing fields of Cambodia. We know of other atrocities, some of which have already been mentioned in this debate.

We need an International Criminal Court. Currently, no international body can hold individuals, rather than states, to account. The idea for a court of this nature is not new. Indeed, we have to be persistent in pursuing and securing justice. In the 20th century—from the treaty of Versailles to the formulation by the League of Nations, in 1937, of the protocol establishing an International Criminal Court, to the tribunals of Nuremberg and Tokyo—some progress has been made. It was President Truman who described the Nuremberg tribunal as

"The first International Criminal assize in history".

There have been ad hoc tribunals for the former Yugoslavia and Rwanda, and the Geneva conventions have been accepted. However, the basis for the Bill was established in some detail 50 years ago, when the United Nations General Assembly adopted the conventions on genocide and invited the International Law Commission to study the establishment of an international judicial organisation to deal with genocide. That was in December 1948. Now, in April 2001, we are here on this historic night in the House of Commons Chamber, debating the legislation that will assist that court to go into action.

Our discussions tonight flow from the Rome statute signed in July 1998, which the United Kingdom signed in November of that year. According to the most recent information available on the UN website today, 139 nations have signed the protocol establishing the ICC, and 29 states have ratified it.

If this country adds its name to the ICC's ratification at this critical time, we will be one of the first 60 countries to do so. That will mean that we have played a crucial part in setting up that international court.

It is important that the court be set up, and that that is accomplished speedily. It would be a permanent standing court, dealing with the most heinous of crimes—genocide, war crimes, and crimes against humanity. It would not suffer from the selectivity and difficulties encountered by the ad hoc tribunals that we have at present, good as their work has been.

The ICC would enshrine in an international court the principle of individual responsibility. It would establish the principle that individuals cannot hide behind the orders of a superior. There would be no immunity for anyone found to have acted in a horrendous way. In the words of Robert Jackson, chief prosecutor at the Nuremberg international tribunal:

"The idea that a state commits crimes is a fiction. Crimes are committed only by persons."

We forget that at our peril. If we are truly concerned about individual responsibility and accountability, we must never the forget the responsibility of individuals for what they do.

The Bill will also encourage states to take their own actions to deal with horrendous crimes. The principle of complementarity enshrined in the Bill is important, as is the principle of automatic jurisdiction. The provisions making British domestic law compatible with what is to be implemented internationally are extremely important. All those factors taken together make it more likely that states will take their responsibilities seriously.

Setting up an International Criminal Court such as that described in the Bill in a proper and considered way will not only bring to account those who have committed heinous crimes but will act as a deterrent to the potential criminals of the future—the future Pol Pots—and perhaps the future actions of Saddam Hussein.

Various hon. Members have spoken about the possible difficulties that could arise from the ICC's proceedings, and I take them very seriously. For those of us who really care about international justice and about bringing those who commit atrocities to account, it is equally important that we look at the detail of what we are doing. It would not be acceptable for the ICC to be right in principle but to fail in practice, and we must not allow that to happen.

I therefore agree that it is very important that there should be proper scrutiny of the detail of the Bill and of the provisions for the International Criminal Court. It is important that the pre-trial chamber properly assesses cases before they go to trial. It is important too that three judges will have to decide that there are substantial grounds to take a case to the ICC before that case can proceed.

It is essential that the prosecutor should be independent and that he or she can be removed if it is thought that he or she is not acting in a proper or impartial manner. It is important that the prosecutor should be able to defer to states that are able and willing to conduct their own investigations. It matters too that the Security Council can defer investigation for 12 months if the prosecution stands in the way of international peace and security.

Those and other points matter, and it is of the utmost importance that the detail of the court's proceedings are considered properly, but that must be done in the spirit of wanting the court to succeed. We must be determined that the court will be set up as soon as possible, and that it will be efficient. It must be accepted by everyone as having the highest standards.

Elected Governments do many things. They make policy—as is happening tonight—and set a moral lead. By pressing ahead with setting up the International Criminal Court now, this Government are doing both. As Kofi Annan said:

"In the prospect of an international court lies the promise of universal justice. That is the simple and soaring hope of this vision. We are close to its realisation. Only when no state, junta or army anywhere can abuse human rights with impunity will the innocents of distant wars and conflicts know that they too may sleep under the cover of justice. They will know that they too have rights, and that those who violate those rights will be punished."

Setting up the International Criminal Court is a major step forward for humanity. For the United Kingdom to make that happen in the same year that it instituted national holocaust memorial day will give this country an important place in history. I feel proud to have been able to play a very small part in enabling that to happen.

8.18 pm

Mr. Martin Bell (Tatton): I shall, as always, be extremely brief. I have listened to the debate with great interest and, when it got partisan, not a little dismay. If ever an issue required seriousness, this is it.

In some three hours, I have heard no mention of the quality of justice that the International Criminal Court will dispense, nor of the safeguards that it will offer to the accused. It is important that someone should make the case—and I am willing to do so—for the rights of accused alleged war criminals. That is especially true if people such as Milosevic, Mladic or Karadzic appear before the court. In cases such as that, a miasma of perceived guilt will attach to the accused.

[Mr. Martin Bell]

Such matters are difficult. Nuremberg passed the test, but I am not sure that the criminal tribunal in The Hague passes it, and that is the model on which the ICC is to be based.

I speak from experience. Inevitably, I have been closer to war crimes than most hon. Members. I know the pile of ash and bone that is left when a family is burned alive in its home, and the son and father have tried in vain to defend their relatives. I know what mass graves look like, and I know the stench of death. I know the tatters of clothing and bloodstains that mark scenes of mass execution.

I have given evidence and depositions to prosecution and defence lawyers at the Hague. In every case from the first Tadic case onwards, the defence lawyers felt that the scales of justice were weighted against them—more or less perceptibly, but in every case. I testified in the case of Tihomir Blaskic two years ago. Blaskic was the senior colonel commanding the HVO Bosnian Croat forces in the Lasva valley in central Bosnia during the vicious side war between Muslims and Croats in 1993 to 1994.

I gave evidence for the defence; I believed that there was no proper command and control, and that the Ahmici massacre, of which Blaskic was accused, was the work of freelance forces beyond his control. He was, however, convicted to a virtual life sentence. Now we know from documents found in the palace of the late President Tujman that he was indeed outside the command loop at the time. I trust that his appeal will succeed. Blaskic was one of many who was held for years before being tried. Are we proposing that the International Criminal Court have the same dilatory processes of justice? I hope not.

There is also a problem with the judges. They will come, as they must, from many countries and diverse judicial systems. They will be at the peak of their careers and, we hope, at the peak of their powers. In fact, many of them are quite elderly. In a case that may last a year and a half, one may have to drop out for reasons of ill health and then the defendant will have the right to have the whole case heard again. Blaskic chose not to, and he may well wish that he had, because one of the judges was simply not there for the taking of half the evidence at his trial. If that is the kind of system that the ICC will adopt, I think that we should consider very carefully the rights of the accused, however notorious they may be.

I get the impression that the international criminal tribunal at The Hague dispenses victors' justice. It is a prosecutor's court; it is, in some sense, a political court. I am afraid that when the new court is established and various high-profile cases come before it, as they come before the tribunal at The Hague, the ICC will then be under pressure to convict. It will cost hundreds of millions, maybe thousands of millions of dollars of United Nations money. In the absence of such convictions people will ask why that money is being spent and say that the court is ineffective. We must protect the rights of the accused and, above all, set up a court that will not feed on a diet of convictions.

8.23 pm

Ms Oona King (Bethnal Green and Bow): I believe that it is difficult to exaggerate the Bill's importance. It seeks to outlaw crimes against humanity, not just at one time or place, as some of the international tribunals have sought to do, but at any time or place. In other words, it seeks to ensure that no one is above the law, no matter where they live or who they are.

The International Criminal Court will be a permanent court based at The Hague, with responsibility for trying individuals for genocide, crimes against humanity and war crimes. It will come into effect when 60 states ratify the 1998 Rome statute. To date, 139 states have signed the statute and 29 have ratified it. I will be delighted if the United Kingdom is one of the first 60 to ratify it, as I am sure it will be, following the passage of the Bill.

The Government have played a pivotal role in the creation of the ICC. Notwithstanding the remarks of my friend the hon. Member for Tatton (Mr. Bell), I believe that the ICC will, for the first time, provide the means by which justice may be brought to victims and murderers may be brought to justice. We have not had those means before with an enforceable mechanism.

The ICC will deter potential war criminals and, I hope, contribute towards an end to the culture of impunity. It will also, for the first time, bring conflict within nation states into the jurisdiction of an international court. It will recognise crimes of sexual violence, which had gone unrecognised until very recently, and will go further towards prohibiting the use of child soldiers.

It is important to place the ICC within an historical context. In the last speech that I gave on the ICC in this Chamber, I noted that the first real codification of war crimes was the 1884 Geneva convention. The House of Commons research paper, as ever, is extremely far-reaching in its gathering of evidence. It cites a war crimes tribunal in Greece in 405 BC that held individuals to account. More recently—in 1474—a panel of 28 judges of the Holy Roman Empire stripped one Peter von Hagenbach of his knighthood and sentenced him to death for his role in ordering the murder, rape and mutilation of citizens of the Upper Rhine. These war crimes were committed by men under his command, and his defence, back in 1474—that he was following orders from his superior, the Duke of Burgundy—was rejected.

Despite the passage of 500 years, we remain at a fairly rudimentary stage of institution-building. That is what the ICC seeks to do. In fact, had Peter von Hagenbach committed his war crimes in the 1970s instead of the 1470s, he would probably have got away with murder, just as Pol Pot did. That is why I trust that all Members of the House support the principles behind the Bill. I certainly do, particularly in the light of my visits to Rwanda and Cambodia. Those countries vividly illustrate how genocide and conflict today take place within countries as much as between countries. The corollary is that most victims of war crimes today are civilians, not military personnel. As we have heard, in the last 50 years, more than 86 million civilians have died in more than 250 conflicts.

Many people might be surprised that we have a plethora of laws prohibiting war crimes. I described them in some detail previously in the Chamber, so I will not list them again; suffice it to say that it is not the laws we lack, but the means to enforce them. The 1948 genocide convention took 50 years to muster its first success. If a week is a long time in politics, it is a lifetime in warfare. One need look no further than the meticulous plans that were laid relating to the genocide in Rwanda, which sought to

achieve a murder rate of 1,000 civilians per 20 minutes, to see that we have not a minute to lose. There must be an urgency brought to the Bill and I am delighted that the Government have found time for it, given the pressure of the legislative timetable.

I was pleased to hear the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) say that this is one of the most important Bills he has had the honour to debate in this House in the 35 years he has been a Member. I concur with his judgment and believe that the Bill is so important that we must get it absolutely right.

I wish to turn to some of the problems inherent in the Bill. The first is universal jurisdiction. The greatest concerns are about clauses 51 and 23, which allow Executive discretion. The Bill, as amended in the Lords, limits British jurisdiction to ICC crimes committed on British territory or committed abroad by UK nationals, or to those who are deemed, under the Bill, to be resident in the UK.

The use of the term "resident" means that non-nationals accused of genocide, crimes against humanity and war crimes will still be able to visit friends, seek medical advice or go shopping in the UK without fear of prosecution, because they would not be resident here. Other countries have sought to avoid this loophole; Belgium, Canada, Germany, New Zealand and South Africa have all decided on forms of universal jurisdiction to hold those accused under the statute to account. I would hope that we might be able to look at this in Committee and reduce the legal confusion by adopting the concept of "presence" instead of residence, as Canada has done. The definition of residence will add confusion and could undermine the intent of the Bill.

I should like to cite an example. In the Democratic Republic of the Congo—a country in which I take a great deal of interest—over 1 million people have died since 1998 in a war that has sucked in the armies of more than six neighbouring countries and left the population prey to a number of crimes against humanity. Many of those crimes have been perpetrated by foreign mercenaries. The ICC might have no jurisdiction over the offender because, for example, neither the Congo nor the perpetrator's state of nationality had accepted ICC jurisdiction, or because the Congo had not accepted jurisdiction and the nationality of the offender could not be established. If that offender came to the UK, why should he or she not be at risk of prosecution?

The case for universal jurisdiction is particularly striking when a British national falls victim to a crime against humanity committed abroad by a foreign national. On 28 December last year, Charlotte Wilson—a Voluntary Services Overseas teacher—was ambushed and murdered by a Burundian Hutu rebel group. The culprit of that crime, conceivably, could flee to the United Kingdom. I say that because, in my constituency, I have come across people who are alleged to have been war criminals in Rwanda and Bangladesh but have not faced prosecution. They could find a safe haven and be able to escape justice, even when their victims include a British citizen.

I urge the Minister to reconsider accepting the principle of universal jurisdiction. We have already done that in the case of torture and when a person commits grave breaches of the Geneva conventions. I hope that the Bill will treat equally all those who are present on UK territory, whether nationals or non-nationals, visitors or residents.

I am also concerned about the large degree of Executive discretion in the Bill. There are a number of clauses that provide a Cabinet member with the discretion to take or not to take a certain course of action. I have concerns that this could result in a failure to fulfil the obligations under the Rome statue.

I want to underline what the hon. Member for Tatton said about the quality of justice. We must ensure that justice is done on both sides and try to avoid the historical pattern: justice for the victors and an absolute lack of justice for the vanquished.

Conservative Members have asked the Foreign Secretary to legislate so that British armed forces can never, in theory or practice, be brought before the ICC. That is a worrying position to take, because it implies that we want a criminal court only if somebody promises us that we will never be brought before it. In theory, British service people will never be brought before it, because any bona fide allegation will be investigated by British authorities. That does not mean that they will not be held accountable for their actions. Surely they would not want that. There is already accountability, and a code that can be invoked if they break it.

It is also unlikely in practice that members of the British armed forces could be brought before the court.

Mr. Gerald Howarth: The hon. Lady cannot make that assertion. She can say that any of our forces brought before our domestic courts will certainly get a fair trial, and that our judges, sharing the same culture, will understand the circumstances, but she cannot guarantee that the ICC will not seek to second-guess the decisions of the United Kingdom courts and take a wholly different view.

Ms King: This is exactly the point: if we are able to show that we have had a thorough investigation, the ICC has no jurisdiction over our armed forces. Does not the hon. Gentleman understand the concept of complementarity around which the proposal is based?

Mr. Blunt: The hon. Lady should consult article 20, paragraph 3(b) of which refers to trials in the United Kingdom that

"otherwise were not conducted independently or impartially in accordance with the norms of due process recognised by international law and were conducted in a manner which, in the circumstances, was inconsistent with an intent to bring the person concerned to justice."

It is the ICC that will have to interpret that article.

Ms King: The hon. Gentleman has to recognise that the Government, and the previous Conservative Government, in signing the conventions, have accepted the jurisdiction of people who may not be British. We should uphold the rule of law and recognise the many built-in mechanisms that would prevent British service people from being brought before the ICC—for example, the role of the Security Council—unless we committed genocide by accident, say—and if we did, frankly, we should indeed be subject to the court. How can we

[Ms King]

command any respect if we argue, as Conservative Members appear to be arguing, that we want the law to apply, but not to us?

Mr. Bercow: The hon. Lady, whose sincerity and conviction I respect, is clearly content to accept the soothing bromides of the Foreign Secretary, but I for one, as someone who is sympathetic to the establishment of the ICC, am not. I invite her to envisage a scenario in which the Government of the day contend that they have conducted a genuine and thoroughgoing investigation into allegations of abuses committed by our armed forces, but the main Opposition party of the day contends that the investigation was defective, whereupon the ICC invokes that fact in support of its decision to bring proceedings.

Ms King: That would be a court case. I do not follow the logic of the hon. Gentleman's argument. I cannot envisage circumstances in which, for example, the British Government conducted their own investigation, the ICC felt that we were not able to prove that the investigation was sufficiently thorough or unbiased and, on top of all that, the Security Council had no wish to impede the case's progress to the ICC. We must not expect that our armed forces will be protected no matter what; they will be protected because their behaviour, on the whole, reaches the highest standards in the world. On the whole, our armed forces do not go around perpetrating crimes against humanity. However, if they do, I hope that they will not be free from the jurisdiction of the ICC.

In conclusion, I underline the importance of the Bill in establishing a permanent and—I hope—universal jurisdiction for punishing the perpetrators of the world's most heinous crimes. Considering the blood-splattered history of the previous century, surely this is the building block we need. It will take us forward and prevent the recurrence of what has happened in the past. It will make the slogan "never again" a reality.

8.41 pm

Dr. Julian Lewis (New Forest, East): It is a great pleasure to follow the hon. Member for Bethnal Green and Bow (Ms King). I well remember the excellent Adjournment debate that she introduced in October 1999, when I had the pleasure of participating and endorsing most of what she said. Contrary to what some people might think, there is much consensus on the issue across the Floor.

The war crimes aspect causes most concern, where it shades into the conduct of military activity in future conflicts and the way in which military personnel might be held to account. However, I want to leave that point until the end of my remarks and concentrate on the aspects of genocide and crimes against humanity, for which there are at least six good reasons why one needs an International Criminal Court—if satisfactory procedures for operating it can be agreed. The first reason is to punish past killers; the second is to deter future killers; the third is to embarrass those who shelter killers; the fourth is to force countries to put the killers in their midst on trial; the fifth is to prove beyond doubt that the killings actually took place; and the sixth is to bring out aspects of the truth that might otherwise remain hidden.

I shall deal briefly with those reasons in turn—beginning with punishment. I make no bones about the fact that I believe in the virtue of retribution for its own sake. That is an unfashionable statement, but if the concept of punishment or retribution means anything at all in the 21st century, it should certainly apply to the crimes we are talking about—genocide and crimes against humanity. Those are crimes whereby whole swathes of people are eliminated on a group basis. People who have done nothing whatever to incur the hatred, disdain or dislike of the people who attack them are nevertheless liquidated without semblance of pity or mercy. Even if it would not deter one future criminal from the acts committed by mass murderers in the past, every mass murderer whom it is in our power to punish should be punished because it is a matter of natural justice; the blood of the victims cries out for punishment to be carried out.

I shall briefly refer to three examples. I hope that the House will forgive me if I go back to the period about which I know most—the second world war. The first example is Josef Mengele, the angel of death of Auschwitz, who, we now know, died in Brazil. We also know that he was so confident of not being punished that for many years he lived openly under his own name and his family in Germany were in communication with him. That tells us that if the authorities in Germany had had a real will to track down Mengele and bring him to justice, they could easily have done so. It is not for me to speculate why they did not.

The second example is Walter Rauff, the man who invented mobile gas vans. They sometimes had a red cross on the side, but Jews were herded into them and exhaust gases were automatically funnelled into the back so that as the van drove off they were asphyxiated in the most excruciating manner. There are fascinating documents in the archives about the care and attention with which German firms that are still trading today designed those devilish contraptions—to make sure that the "waste materials" and other substances derived from the "process" would not impede the operation of the van. Walter Rauff also lived openly in south America for many years, even being interviewed by magazines, but he was never brought to justice. I like to think that, for all the reasons that I enumerated, an International Criminal Court would have made it much more difficult for him to escape the fate that he richly deserved.

The third case is one that I mentioned briefly in an intervention on the Foreign Secretary—that of Aloïs Brunner, Adolf Eichmann's right-hand man, who was personally responsible for organising the death of more than 40,000 Austrian civilians, more than 40,000 Greek civilians, more than 20,000 French civilians and many Slovaks. He was known, at least by the 1980s, to be living in Syria under the name of Georg Fischer, as an honoured guest of, and an adviser to, the Syrian Government. I have raised the matter in the House on at least half a dozen occasions, in July 1998, July and October 1999 and in March and June 2000.

On 20 June 2000 I thought that I was making progress. I asked the then Minister of State at the Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain), whether one contribution towards the building of trust between Syria and Israel would be for the new Syrian regime to clear up the mystery of its long-term sheltering in Damascus of the architect of the holocaust in wartime France and elsewhere, Aloïs Brunner. I asked

whether the Government would make representations to the Syrian regime indicating that it could not expect to be taken seriously in the search for peace as long as a war criminal of that magnitude was sheltered.

The Minister replied that he would look into the matter and write to me. Eventually, he wrote to me in August of that year, and I was much encouraged by what he wrote because there had been a change of regime in Syria. He said that, with the passing of President Hafez al-Assad, more information "might become available" about Brunner. He said also that it might be possible for the Government to make representations once the new leadership in Syria had "settled in".

It was with some confidence, therefore, that I asked another question on 27 February this year. I asked what representations had been made to the Syrian regime about the sheltering of that dreadful man, only to be told by the present Minister of State, the hon. Member for Leicester, East (Mr. Vaz):

"We have not made representations to the Syrian Government about Alois Brunner. There is general agreement that he is almost certainly dead. Inquiries in recent years by the French and German Governments and by journalists have failed to produce evidence of his whereabouts."—[*Official Report*, 27 February 2001; Vol. 364, c. 584W.]

We heard the Foreign Secretary say this afternoon that if I had fresh evidence, he might consider making representations.

My question in February was timely because, at the beginning of March, a French court thought enough of the possibility that Brunner was still alive and being sheltered in Syria to sentence him, in absentia, to life imprisonment. If the French Government can organise a trial to sentence a missing murderer to life imprisonment, I am disappointed—to put it mildly—that our own Foreign Office seems to have set its face against doing anything, even at the modest level of making representations to the new Syrian Government, especially when the former Minister of State suggested that he was minded to do so.

Perhaps the background is that some professional diplomats in the Foreign Office think that it is not such a good idea to stir up feelings that might upset our relationship with the new Syrian Government, by pursuing that terrible criminal. Even if he is dead—he would only be 88, and plenty of people of that age are still going strong today, including my father—it is important that the record is set straight if Syria, under its new regime, is to be taken seriously in the comity of international society.

Mr. Winnick: The hon. Gentleman is right about Brunner, and we know Brunner's record. However, is he aware that I initiated a debate in the late 1980s about a notorious Nazi war criminal, who was responsible for murder by exhaust fumes before the gas chambers existed? That mass murderer was living in Chile under his own name. In replying to that debate on behalf of the then Government, Malcolm Rifkind made it clear that, although he was obviously concerned, he would make no representations. So the hon. Gentleman is saying nothing unique; I am afraid that successive British Governments have taken that line.

Dr. Lewis: I thank the hon. Gentleman sincerely for making that point. I hope that he acknowledges that in no sense am I trying to be party political. I strongly suggest that, in both those cases, the Government of the day received official diplomatic advice on what was, or was not, a wise course to follow. The hon. Gentleman may have been out of the Chamber when I referred to Walter Rauff, whom I assume is the criminal that he mentions, and I entirely endorse the sentiments that he expresses.

People such as Rauff, Mengele and Brunner deserve punishment in their own right; it is fit and meet that they should be punished, but there are many more positive reasons to support the principle of the International Criminal Court. For example, it will deter people in future now that Milosevic has been taken into custody, although not yet for trial in that court, it is true. Nevertheless, the principle is illustrated that a head of state who wants to wage aggressive and barbaric campaigns against civilians can no longer shelter behind the idea that, whoever else carries the can for the orders that he gives, he will be immune.

The ICC will embarrass countries into taking action that they otherwise would not take. That point has been sufficiently illustrated already. For example, would the Latin American countries have harboured so many terrible Nazi criminals for so long if a court had been available to put pressure on them to give up those criminals? Would so many Nazis have been aided by countries and organisations, and even some parts of the Catholic Church, to escape the retribution that they so richly deserved?

Would members of the SS Galicien division have been allowed into Britain, or having been allowed to enter—perhaps relatively innocently, although I find that hard to credit—would they have been allowed to settle here when questions were being asked about the wartime conduct of so many of the division's members? As a Labour Member said previously, would Idi Amin have found it so easy to continue to have sanctuary in Saudi Arabia?

The fourth reason that I mentioned was to force other countries to try criminals in their midst. Once again, the recent arrest of Milosevic shows the benefit of that.

I should like to spend a moment on the fifth reason, which is to prove that killings actually took place. We know only too well the evil of historical revisionism and of the activities of the Holocaust review organisations and of propagandists such as David Irving, Ernst Zündel in Canada and Fred Leuchter in America—who purported to produce a "scientific" report that the gas chambers had not really been gas chambers at all.

I was deeply impressed by the foresight of the late Lord Bernstein and the late Alfred Hitchcock. When the death camps were opened at the end of world war two, they anticipated that the horror was on such a scale that future generations might fail to believe that it had ever occurred, so they produced the unforgettable film "A Painful Reminder". They visited the camps before the bodies were all buried and they took, with the widest-angled shots possible, a comprehensive cinematographic record of what was found, so that it would become as difficult as possible to deny that the atrocities had taken place.

The final reason is to bring out aspects of the truth other than the fact that killings had taken place. I was reminded of that by an article in *The Times* today under the heading "I funded Bosnian war, says Milosevic". It reports that Milosevic

"had conceded for the first time that he had covertly funded the Bosnian and Croatian Serb armies."

[Dr. Lewis]

When he was asked to account for all the money that had disappeared, he said that

"the details should be kept a state secret, since the money went to finance Serb rebellions against the secession from Yugoslavia of Croatia and Bosnia, as well as to Serbian security troops and 'anti-terrorist forces'.

The funds, not included in official budget figures, were designed to circumvent the international embargo against Yugoslavia, he added."

When we consider the period when our Foreign Office believed that Milosevic was acting as a brake on the activities of Karadzic, how extraordinarily useful it is to learn that those of us who suspected all along that Milosevic was fomenting and supporting such activities were correct.

Even before I deal with the issue of war crimes, there are some other problems with the concept of the court. Those problems have been alluded to and I shall run through them in short order. The first is the concept of "victor's justice". That term has been applied to the Nuremberg tribunals, but no one would deny that the 20 volumes of detailed evidence of Nazi crimes that was gathered at Nuremberg are anything other than an historical source of the first significance. The record of the Nuremberg tribunals makes it extremely difficult to deny the nature of the Nazi regime—and, after a gap of 50 or more years, there would be no shortage of people who would try to do that if they thought that the evidence was not against them.

There is also the argument about the "clean hands" of those sitting on the tribunals. It is true, for example, that Stalin had a judge sitting at Nuremberg. However, the fact that we cannot bring everyone to justice does not mean that we should not bring to justice those people who are capable of being put on trial.

Perhaps a more serious objection relates to the issue of enforcement. Some criminals are too strong to be brought to trial. However, the idea is at least put in the back of their minds that, if one day in future they lose power, they may then be pursued and be held accountable for their actions. The court is still worth while from that point of view.

Problems of access, such as to the atrocities in Afghanistan and Chechnya, have been touched upon, but who would have thought that the time would ever come when dictators such as Todor Zhivkov in Bulgaria or Erich Honecker in East Germany had to face the consequences of their disgraceful activities? That time did come and the court will make it more probable that it will come for other people.

There is little disagreement about the court in respect of the issues of civilian atrocities, genocide and crimes against humanity. The real concern applies to whether normal military action or honest mistakes made during normal military action could end up being defined as war crimes. I sympathise with the doubts expressed by my hon. Friends on the Back Benches. We only have to consider the way in which some recent legislation abuses the concept of human rights to realise that people fear that the definition of a war crime could be stretched too far and thus undermine the principles that the court is being established to support.

Mr. Hawkins: My hon. Friend touches on an important matter. Does he agree that members of all political parties in this House and in the other place often express amazement at the frequency with which the decisions of successive British Governments are challenged in the European Court of Human Rights? Does he also agree that, despite the best intentions, there is a great danger that something that we would regard as legitimate might be ascribed by a rogue state, which is nevertheless a nominal signatory to the new statute, as a war crime and could result in lawful actions by our armed forces being brought before the new court?

Dr. Lewis: That is precisely my point, although my hon. Friend puts it more succinctly. I hope that Labour Members can tell from the sincerity of my positive approach to the Bill that my reservation is also sincere. My hon. Friend articulates my concern well.

It is often said that the road to hell is paved with good intentions. There is also a danger that the devil makes work for idle hands. The argument is finely balanced. There are advantages to a standing court: for example, it helps to avoid disputes over whether trials are held retrospectively, which is one of the criticisms of Nuremberg. The disadvantage is that people might be tempted to run to a standing court with complaints that would not be entertained if it meant establishing an ad hoc court to consider a specific problem. I am inclined to think that the balance is in favour of a standing court.

On military action and warfare, there is a long and sad history of attempts to outlaw aspects of war by international law. The Washington naval treaty and the Geneva gas protocol of the 1920s were subsequently flouted. It was deterrence that prevented gas from being used by the combatants in the second world war. The experiences of the Jewish people who fell under Nazi control—including my relatives and those of the hon. Member for Bethnal Green and Bow (Ms King)—prove that it was used against the helpless. Similarly, in 1939, at the outset of the second world war, our bombers were instructed not to bomb land targets for fear of collateral civilian casualties. They bombed ships only at sea. In a real war, such restrictions soon go out of the window. My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) has ably made the point that the principle of nuclear deterrence could be challenged.

I have a final question, to which I would appreciate a response. What happens if the United Kingdom tries and acquits a member of our armed forces who has been accused of a war crime? Is that the end of the matter, or can the ICC decide that it is not satisfied with the verdict and that it will intervene?

My hon. Friend the Member for Reigate (Mr. Blunt) drew my attention to article 17 of the Rome statute, which states:

"the Court shall determine that a case is inadmissible where:

(a) The case is being investigated or prosecuted by a State which has jurisdiction over it, unless the State is unwilling or unable genuinely to carry out the investigation or prosecution;"

or

"(b) The case has been investigated by a State which has jurisdiction over it and the State has decided not to prosecute the person concerned, unless the decision resulted from the unwillingness or inability of the State genuinely to prosecute".

I do not need to point out that the insertion of the word "genuinely" into both paragraphs begs many questions.

Conservative Members do not want killers to escape justice, or people who commit crimes against humanity to laugh in the face of world opinion, as they have done in the past. However, in our pursuit of thoroughly admirable aims, we do not wish innocent service men to be brought before an international court simply because the processes in our democratic society, whereby they have been found not guilty, are deemed insufficient by that court.

9.6 pm

Mr. Jeremy Corbyn (Islington, North): I shall be brief because some hon. Members spoke at length and thus prevented others from taking part in the debate.

Although I welcome the principle of the International Criminal Court, as I welcome many other conventions and processes that were introduced in the past century, we must be objective about the practical effect. For example, the League of Nations was promoted by a courageous American President, Woodrow Wilson, and eventually rejected by the United States Congress and Senate. It collapsed partly through non-adherence and partly because of non-US participation.

In giving the Bill a Second Reading, we should convey the strong message that we support the principle of the International Criminal Court absolutely, and that we ask for no exemptions or opt-outs. The US position appears to be a willingness to sign the basic protocol in order to participate in the negotiations, and a determination to ensure that it has no jurisdiction over any US citizen. That is unacceptable.

Conservative Members have gone on at length about the potential for a case against members of the British armed forces. Obviously, we hope that circumstances would not arise whereby such a case could be made. However, signing up to an international court process means acceptance of its jurisdiction over oneself as well as everybody else. Embarrassing and difficult though that might be, it is what international treaties are all about.

My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) asked why the process could not be applied retrospectively. That is a serious gap in the measure. The only international legal processes that have had any effect in recent years are the Nuremberg tribunals after the second world war, the tribunals on Rwanda and the former Yugoslavia, and the more limited tribunal on genocide in Cambodia. Many other cases deserve such international tribunals. I do not understand why at least selective retrospection cannot be applied to specific areas of conflict. For example, someone has to be responsible for the horrors in Afghanistan, where hundreds of thousands of people have died in the past 25 years. The methods that are used to deal with the conflict in Chechnya should also be the subject of a tribunal. Other examples include the conflicts in Congo and in Latin American countries.

The process has been hastened by the actions of Spanish Judge Garzon in his successful attempt to have Pinochet arrested in London. It is unfortunate that Pinochet was not extradited to Spain, but returned to Chile on the Home Secretary's decision, which was based on medical advice. That advice was curiously overturned by a military hospital in Chile, which decided that he was fit to face trial.

Unfortunately, the process in Chile is far from over. Pinochet has been trying exactly the same tactics of evasion, delay and endless supposedly medical arguments, and he now seeks the diminution of charges against him. I am sure that the Members who were so keen not to extradite him to Spain on the ground that he should face prosecution in Chile will be concerned that he may still be evading prosecution in Chile in the future.

I visited Chile in December; my visit is recorded in the Register of Members' Interests. I witnessed the hope and the fear of Pinochet's victims, and their concern that he should face some kind of process. People told me then that they wished that there had been an international process not only against the military dictatorship in Chile between 1973 and 1990, but against all the dictators in the southern cone—Argentina, Uruguay and Chile—for their persecution of so many people in that part of Latin America.

If ever there was a case for a special process, it has to be the investigation of Operation Condor, and all the horrors that went with it. However, I suspect that there will be no such international process, because it would be too embarrassing to too many people. The causes of injustice, as well as the symptoms—such as the military power that leads to the injustice later—have to be addressed. Those causes have to be the imbalance between rich and poor, the unaccountable power of the military, the interference of multinational companies in other countries, and the corruption of the political process. Any process relating to the examination of Operation Condor, for example, would obviously seek to indict generals in all those countries of Latin America, but it would also seek to examine the role of multinational corporations, of the Central Intelligence Agency, and of Henry Kissinger, whom I saw wandering around the House only two weeks ago. He would be in a good position to tell us about the covert operations of the United States at that time.

Much has been said about state parties, and the need for a prosecution system against them. When the Minister replies, will he tell us whether he has any expectation that the ICC process will give any hope to the people of Colombia, for example? The number who have already died in the various conflicts there far exceeds the death toll of any other conflict in Central or South America in recent times. The death rate in Colombia is still accelerating, as a combination of militias, armed forces, drugs barons and unauthorised gangs engage in civil war. The losers, as ever, are the poorest people in the poorest part of that country. We should look more carefully at the reasons for conflict in the first place: the grab for land, minerals or power, which so often leads to injustice and the reigns of terror that result in the death of so many people.

There are two specific areas of the Bill that I would like the Minister to deal with when he replies to the debate. The first concerns clause 23(4), which says:

> "The Secretary of State may in any particular case, after consultation with the ICC and the state concerned, direct that proceedings (or further proceedings) under this Part"

shall not be taken against a person covered by subsection (1) or (2).

I cannot understand why subsection (4) is in the Bill, and I hope that it can be removed in Committee or on Report. It seems suspiciously like an attempt to limit the jurisdiction of the ICC over this country. If we deplore other countries seeking opt-outs from particular parts of the provisions, we should not be seeking opt-outs

[Mr. Jeremy Corbyn]

ourselves. The whole point of having an International Criminal Court process is that one accepts the principle in its entirety.

The second area of concern, which my hon. Friend the Member for Bethnal Green and Bow (Ms King) mentioned, is the definition of ordinary residence in the United Kingdom. I intervened on the Foreign Secretary earlier to ask about this, and he thought that there was not a problem. I invite him to look again at that part of the Bill. I have read some legal opinions on the matter, and it seems to me that there is the most enormous problem with that issue, which really should be addressed. Instead of applying the difficult criterion of residence or non-residence—anyone who has dealt with immigration law will be aware of the niceties of the terms "residence" and "non-residence"—we should apply the criterion that anyone present in this country at any one time who is indicted by the ICC should be subject to its jurisdiction within this country.

The process that brought about the development of the International Criminal Court is based on the horror at the genocide that has taken place in so many parts of the world and at the millions of people who have died in conflicts. Although we obviously want an International Criminal Court process that can bring to justice the perpetrators of such crimes, we also want to ensure that it is not a political victors' court. I pay tribute to the hon. Member for Tatton (Mr. Bell) for making that point. It must be a court that will genuinely try people without being subject to huge campaigns of outside pressure to gain convictions at all costs. It must be seen to be an objective and trustworthy place in which decisions can be made. I hope that we shall agree to that tonight.

I return to the point with which I started. I urge the House to consider the causes of human rights abuses round the world and the need for sufficient expenditure by member states of the United Nations and its agencies to ensure that the processes of the International Criminal Court are carried out. Last week I attended the United Nations Commission on Human Rights in Geneva on behalf of Liberation, a non-governmental organisation in this country. We heard an excellent speech by Mary Robinson, followed by one by Archbishop Desmond Tutu. Tragically, Mary Robinson is not seeking reappointment as the UN High Commissioner for Human Rights—[HON. MEMBERS: "She is."] She has changed her mind. Excellent! I was not aware of that.

However, Mary Robinson made the point very effectively in her speech that if the UN is serious about human rights, it must give her and her office the resources, the staff and the finances to do the job. It is no good going round the world hand-wringing about human rights abuses if we do not give the international agencies the necessary support and authority to deal with them. I hope that the House will give the Bill a Second Reading tonight, but I believe that there are at least two serious flaws in it that I hope will be corrected in Committee or on Report. I also hope that we do not go down the road followed by US Presidents such as Bill Clinton and George W. Bush and by the Conservative party, who say, "This should apply to everybody but me." That will be impossible if we are to go forward with any kind of process of international justice and international law.

9.18 pm

Mr. Crispin Blunt (Reigate): This is an extremely important debate, and I echo the remarks of the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) in that respect. The hon. Member for Tatton (Mr. Bell) deplored the air of partisanship that had occurred in the debate; I deplore that as well. It was regrettable that the hon. Member for Rotherham (Mr. MacShane) considered it a matter for party political advantage that Conservative Members might oppose the Bill on Third Reading owing to the practicalities and problems inherent in it.

This is an immensely important measure. The wider case for it was made extremely eloquently by my hon. Friend the Member for New Forest, East (Dr. Lewis), and I pay tribute to him for an excellent speech. The hon. Member for Liverpool, Riverside (Mrs. Ellman) made an extremely pertinent point. She said that it was absolutely essential that the court should work. If it fails to work, we run the risk of undermining the stability of international relationships. The consequences would be as serious as that, and that is why this is such an important measure. The Bill has the capacity to undermine the willingness of the states that have policed the world since 1945 to carry on bearing that burden and undertaking that role.

If the Bill works as we would like it to work, it may take us forward to a new order of international relations in which proper justice—the true justice that is blind—is administered to those who have carried out such crimes and is applied fairly and freely across the world. In that sense, the efforts behind the establishment of the criminal court and its incorporation in our criminal justice system are much to be welcomed. However, we must consider the background.

In 1951, the United Kingdom undertook to sign up to the European convention on human rights, but it was never expected that our armed forces would be subject to it in the way that they are now. We are in such a position that I and, I am glad to say, my party have come to the view that such is the effect on our armed forces that it is necessary to seek a derogation from the terms of the convention, just as the French were able to do when they signed up to the treaty much later than us. Although the intentions behind the measure are fine, we must be able to tell our armed forces rather more than how it should be implemented. By and large, they will be the means by which the United Kingdom, as a member of the United Nations Security Council, fulfils the role and responsibility that it has taken on in international relations and in policing agreements put in place by the UN.

We have our own interest in international stability, which will always be important to the United Kingdom. Ours is a nation of 60 million people, so it will remain important whatever happens in future. The effect on this country of such a measure will be out of all proportion to that on other countries, so we must be able to tell our armed forces that we know what we are letting them in for. That is why the concerns of the Chief of the Defence Staff, which have been virtually expressed on the record, have to be taken seriously.

To put the matter in detailed focus for hon. Members, I shall relate the experience of a soldier in my old regiment, the 13th/18th Hussars, who happened to be my driver when I was a squadron commander in the late 1980s. I met him again in Bosnia when I was a special

adviser to Sir Malcolm Rifkind when he was Secretary of State for Defence. A few weeks earlier, that soldier had been involved in a firefight in which he had chosen to fire on Croatian Bosnians who were engaging with his troop of armoured cars.

Through such actions, the British forces in Bosnia had achieved a reputation as ones that the bandits did not mess with. That reputation did not adhere to the other forces taking part in the UN operation, because they were not as resolute, not as well-trained and not as prepared at junior non-commissioned officer level to take decisions such as that taken by that soldier. If the Bill is not implemented in the way that we all desire, the consequence will be that our armed forces will lose the will to engage in such operations. The Chief of the Defence Staff has expressed concerns, and how the Bill works is fundamental.

Mr. Browne: I am much obliged to the hon. Gentleman for giving way. So that we can understand the environment in which the events that he is describing took place, can he explain whether that soldier was under the jurisdiction of the tribunal for the former Yugoslavia when he made those decisions? Was he prevented from making the right decisions by being subject to the tribunal's jurisdiction?

Mr. Blunt: Of course, the answer is no. He was subject to that jurisdiction, but I know him and I would not imagine for a moment that he knew either that he was subject to a tribunal or the exact detail of what would happen to him in The Hague if things went wrong. That is another issue, but it leads me to how we teach soldiers the laws of war. That process has to be gone through to bring home to them the consequences of their actions. The more complicated we make that process, and the more detail there is, the more concern we cause the chain of command in relation to people being prepared to take responsibility, and to act in circumstances in which an instant judgment must be made about whether such action is proper.

Mr. Menzies Campbell: Does the hon. Gentleman think his driver was aware that he was subject to the terms of the Geneva convention? If he was, is there any evidence to suggest that British forces in Bosnia or Kosovo have felt in any way inhibited by their responsibility to adhere to the terms of the convention?

Mr. Blunt: I hope that he was. I probably taught him the lessons in the course of military training. However, to an extent the right hon. and learned Gentleman is right: in the terms of the Geneva convention and the laws of war, the actions that he took, according to his judgment, were correct.

That is what will happen if the court works as we want it to work, but I fear that the way in which it is set up may mean that it will not. The state of Israel has declared its concerns about the way in which the treaty had been set up. Part of its declaration states:

> "At the 1998 Rome conference, Israel expressed its deep disappointment and regret at the insertion into the Statute of formulations tailored to meet the political agenda of certain states. Israel warned that such an unfortunate practice might reflect on the intent to abuse the Statute as a political tool."

Given the terms of the treaty, I must say that I believe Israel may have a point. We should consider the way in which the judges will be elected. In that context, I urge hon. Members to note the detail of what is in the treaty, and what was agreed in the Rome statute.

The 18 judges will be elected on the basis of one state, one vote. I refer to states that are signatories to the statute, have acceded to it and have ratified it. That would put states such as Mali and Trinidad and Tobago on the same footing as others as large as the United States of America—if, that is, the United States were to become involved in the treaty. A state in the position of the state of Israel, having received the treatment that it has received at the hands of the General Assembly of the United Nations, can be expected to have concerns about the sort of people who will be elected, by secret ballot, as judges to decide these matters.

Once the judges are in place in a permanent institution, that institution—as other hon. Members have said—will be under pressure to act, and to produce work to do. We have seen, both in the institutions of the European Union and in those of the European convention on human rights, judge-made law and the pushing back of its boundaries. Given the nature of the judges who might be elected to serve on the ICC, exactly the same might happen.

Mr. Browne: I am interested by the hon. Gentleman's use of the phrase, "produce work to do". He will know that in the last 50 years of the last century, 860 million people died in conflicts throughout the world. Like other hon. Members, I suspect that, far from the tribunal looking for work to do, work will be queueing up to be done. The notion that the tribunal will go around the world for political reasons looking for work to do is fanciful, is it not?

Mr. Blunt: I hope so, but what if the institution does not work in the way that we intend? What way of protecting the interests of the armed forces is open to us? I am afraid that the House must take account of such considerations. It must consider whether the 170 or 180 states belonging to the United Nations that could accede to the statute could produce an agenda that was against the interests of the permanent members of the Security Council—against, perhaps, the interests of the United States and the United Kingdom—such as the agenda that currently operates in the skies over Iraq.

I should have thought that a large majority in the United Nations would say that the actions of our pilots in bombing Baghdad amount prima facie to a war crime. If the Prime Minister, the Foreign Secretary or the Secretary of State for Defence were not going to be put on trial in the UK, the International Criminal Court, if it had a majority of judges so willed, would seek leave to put a case. That is my concern. Potentially, the way in which the institution is set up will not act in the interests of global stability.

Labour Members have properly advanced the argument that it is right to have an international system of justice and that it is not right for the United Kingdom to say that we should have an opt-out. The hon. Member for Clydebank and Milngavie (Mr. Worthington) made those points clearly. To an extent, he is right. We will subject ourselves, if the Bill becomes law, to the jurisdiction of the ICC. That is why it is so important, when we act to limit the sovereignty of our action and the ability to conduct our affairs as we would want, that we are confident that the institutions that we are setting up will meet our needs. In the end, our needs are met through nations such as the United States, Great Britain, France,

[Mr. Blunt]

Germany—the great democracies of the world now—having the ability, to an extent, to influence and to police world affairs, as they have in the past.

The United Kingdom and the United States have a proud record of protecting the interests of liberty and freedom in the decades since 1945. The issue is that, in the new world order to be policed by the ICC under the mechanisms set up in the Rome statute, there is a threat to our willingness to go on making the contribution in security terms. The threat has been made explicit in the United States, and I believe that the Senate will never ratify the statute. To an extent, that will undermine its whole effectiveness. The fact that we cannot get the United States to agree to the statute punches a huge hole through it. Of course, it was always going to be enormously difficult, with the traditions and history of the United States, to get the United States Senate to agree to the statute, but I do not believe that the set-up for the election of the judges, who in the end will make the decision, was ever going to be acceptable to the United States.

Within the statute, greater account should have been given to the size and importance of countries. After all, that is why the United Nations Security Council was set up with five permanent members in 1945—it recognised the realities of the security issues of the day. I do not believe, on the amount of attention that I have been able to give to the statute and to the proceedings before us, that we can be satisfied that it does that. I regret that, so far, I have not been able to give the matter the attention that it deserves. I hope to have the opportunity to do so in Committee.

9.35 pm

Mrs. Cheryl Gillan (Chesham and Amersham): In December 1948, the United Nations Assembly first discussed the idea of an international criminal court. There is no doubt that tonight's debate is another small step on the road to achieving that aim—a road that has already taken well over 50 years. If it takes us a few weeks longer, it is understandable.

There has been so much interest in the debate that not all hon. Members have been able to speak in it. However, Opposition and Government Front Benchers took many interventions, as did other speakers. I know that my hon. Friend the Member for Aldershot (Mr. Howarth) and the hon. Members for Kilmarnock and Loudoun (Mr. Browne) and for Ilford, South (Mr. Gapes)—to name just three hon. Members—are disappointed that they have not been able to speak, and we are sorry that we have not been able to hear their speeches.

There is no doubt that there is great interest in the Bill's safe passage, if that is the will of the House. I shall speak only briefly—which will please the hon. Member for Clydebank and Milngavie (Mr. Worthington), who so kindly criticised the way in which I handled another Bill in Committee—because I want to give the Minister an opportunity to answer the many questions that have been asked. We shall be able to raise other issues in Committee.

When the Foreign Secretary opened the debate, hon. Members—perhaps inevitably, in the context of this Bill—thought of the Balkans, particularly now that Milosevic has been arrested and there are discussions on the point at which he should be sent to The Hague to face trial for the hideous crimes against humanity for which he is widely believed to be responsible. We want Milosevic to be arraigned at The Hague before too much time has passed, but we must, as I hope the Foreign Secretary will agree, respect the decisions of those who have to live most immediately with the consequences, and of course we wish them well.

The Foreign Secretary also quite rightly pointed out the greater and wider interest in the Bill among non-governmental organisations, including Amnesty International. I am sorry that the right hon. Gentleman was slightly waspish in his view of the Opposition's attitude and support for the Bill. At the same time, however, I join him in paying tribute to the legal team, under the leadership of Sir Franklin Berman, who negotiated on behalf of the United Kingdom. The Foreign Secretary said that our concerns were misplaced. He will therefore undoubtedly ensure that all our concerns are dealt with fully in Committee.

In reply to the Foreign Secretary, my right hon. Friend the Member for Horsham (Mr. Maude) quite rightly reiterated the Opposition's broad support for the principle of the Bill and offered constructive support in working with the Government. He also raised the issues that are on everyone's lips and on which assurances and clarification are sought. Those issues were certainly raised in the speeches that we have heard today.

The hon. Member for Clydebank and Milngavie must agree with us on some of those issues, as he said that this is not a perfect Bill and that it will be an imperfect court. He also made the point that if we do not embrace the Bill, we will never have an international criminal court, but I take issue with him on that. Although he seemed to believe that any criticism of the Bill must be wrong, he asked various questions about it. He asked, for example, for further explanation of the powers of retrospection. I look forward to the amendments that he said he may table.

The hon. Member for Clydebank and Milngavie also expressed reservations about the United States' position—a theme that was taken up by other Members. Although he said that signing up to the statute was the only good thing that Clinton had done, he also said that the reservations that Clinton added to his signature were very disturbing.

Sadly, the hon. Member for Cynon Valley (Ann Clwyd)—who has left the Chamber—was unable to speak in the debate, although she intervened to point out that the United States had an ambassador for war crimes. I hope that she will be able to serve on the Committee because I think that she could make a contribution to the Bill's passage.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) gave his usual support to the Government and then turned to attack Conservative Members—no surprises there. However, he raised the important issue of the scrutiny of treaties in this place and the Ponsonby rules. I hope that he will have the opportunity to raise that issue in Committee if he is fortunate enough to be a member. He also said that, in his 45 years in the House—[HON. MEMBERS: "It is 35".] My goodness, a week is a long time in politics! He said that

this is the most important legislation that the House has considered in the 35 years in which he has been an hon. Member.

I should like to pay a small tribute to the right hon. Gentleman. This evening's speech may have been his last contribution to this House on a substantial piece of business—although he may have other opportunities, as the Government have another year to run. He has always brought a serious and courteous tone to debates, which I, for one, have appreciated. When he finally leaves this place, he will be much missed on all sides.

I offer my apologies to the hon. Member for Thurrock (Mr. Mackinlay) as I was not in the Chamber for the totality of his contribution. However, I heard a small part of it, and I share his frustration that it took so long to get the Bill to Second Reading. He displayed his great knowledge of the Canadian legislation and its passage through that country's House. He felt that the Bill was a profoundly important piece of legislation. He has sustained a great interest in these matters over a long time, and he will make a valuable contribution to our deliberations on the Bill.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) speaks from great experience. He drew on the example of the Belgrano to explore what might have happened to our Prime Minister of the time and to members of the armed services if the Bill, as drafted, had obtained at that time. He raised issues about nuclear weapons that need to be discussed, and asked the important question about who judges. He also touched on the role of the prosecutor. My right hon. and learned Friend reflected the feelings of all Conservative Members when he said that he did not want to pour cold water on the noble aims of the Bill, but he noted that detailed examination was necessary when such complex and serious legislation is involved.

The hon. Member for Liverpool, Riverside (Mrs. Ellman) confirmed that 139 countries had signed up to the statute, but that only 29 have ratified it so far. She echoed the aim expressed by many hon. Members that Britain should be among the first 60 countries to ratify the ICC. She quoted Kofi Annan—quite rightly so—but in so doing stole my thunder, and I shall not repeat the observation in question. The attention that she gave to national Holocaust day will be appreciated in the Chamber, and by a wider audience as well.

The hon. Member for Tatton (Mr. Bell) raised some uniquely important matters that must be discussed in Committee. He talked about the unique problems that may face the accused, and about those people's rights—an element that has been sadly lacking in debates to date on the ICC. He raised the spectre of the political court and of the pressures for a conviction in high-profile cases. He also spoke about the quality of justice—or, indeed, of mercy—and I feel sure that it would be valuable to explore more issues along those lines.

The hon. Member for Bethnal Green and Bow (Ms King) has made speeches on this subject before. Indeed, I was in the Chamber when she secured her Adjournment debate on 27 October 1999. She wants to pay particular attention to the concept of residence introduced by a Minister in another place, which she believes is causing confusion. She also used powerful examples from Rwanda, on which she is a great and acknowledged expert. She challenged our attempts to protect the armed forces, and I look forward to pursuing those arguments in Committee.

My hon. Friend the Member for New Forest, East (Dr. Lewis) made his usual cogent and well-argued contribution. His was a powerful speech, which relied on his great and extensive knowledge of the second world war. He wanted to know what would happen if the UK tried a member of the armed services in the UK, and he inquired about the consequences of the results of such a trial.

The hon. Member for Islington, North (Mr. Corbyn) went on about Colombia, and again raised the issue of the definition of the phrase "ordinarily resident" as applied to the UK. He admitted that the Bill contains serious flaws that must be corrected in Committee.

Finally, my hon. Friend the Member for Reigate (Mr. Blunt) gave the House the benefit of knowledge gathered during a distinguished Army career. He spoke about the consequences of the Bill for the armed forces.

Finally, I would like to restate the points that were made in good faith by my right hon. Friend the Member for Horsham, on examination of the Bill. So far, we believe that there should be four amendments—the seven-year opt-out provided for under article 124; the discretion for the Secretary of State over the issuing of warrants from the ICC through an interpretive declaration; the revision of the legal test under clause 65 for what a military commander ought to have known; and an amendment to ensure that if the Bill becomes law and ratification takes place, the declarations from the Government must be laid before both Houses of Parliament.

Despite some of the more immature asides from Labour Members, I believe that we have made progress tonight. In anticipation of a responsive dialogue with the Government on our attempts to protect our armed forces and to show that we wish the Bill well, we will not vote against it on Second Reading. However, I give due warning that we are not rubber-stamping this process and that if the safeguards that we ask for are not put in place, we will be unable, sadly, to support the Bill on Third Reading.

9.46 pm

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): We will be able to look back on tonight as the night that we introduced a Bill proposing putting the full weight of the House of Commons behind the establishment of the International Criminal Court. That will be a giant step forward for universal human rights and the rule of international law. For the first time, there will be a truly international body to try individuals responsible for the worst crimes known to humankind.

It is a night that we can be proud of, and we can be proud of the pivotal contribution of the United Kingdom legal team to the creation of the ICC in the first place. The statute is an international agreement that results from a protracted negotiation. It is in the nature of international agreements that we cannot get all that we want. Nevertheless, the Bill is in good shape and the International Criminal Court is shaping up.

Our aim in Rome was, above all, to secure an effective court that enjoyed the maximum international support. That was achieved to an extent that exceeded our

[Mr. John Battle]

expectations. Even better, support for the court has been maintained and has even grown since Rome. More than two thirds of the international community has signed the ICC statute and we are encouraging all countries to do so. We are pleased that the United States is a signatory and we hope that it will in time also ratify the statute. We will continue to encourage all those who have not signed to do so.

I know that many right hon. and hon. Members will be disappointed at being unable to take part in the debate. I think that for the first time in my 14 years, we have had a reflective and thoughtful debate on both sides of the Chamber. We have had a good turnout, with Members queueing to contribute. It is a pity that we do not have more time, but tonight's proceedings have reflected the seriousness with which the House is taking the matter. This is an international step forward.

Detailed questions have been asked and I will do my best to respond to them in the brief time available to me. The right hon. Member for Horsham (Mr. Maude) referred to the relationship between the international criminal courts that the previous Government set up in Rwanda and Yugoslavia. I remind the right hon. Gentleman that the provisions were embedded in domestic law. Two Orders in Council were passed under the previous Government in 1996 in accordance with the United Nations Act 1946.

I do not have time to go through all the right hon. Gentleman's amendments in detail, but he mentioned clause 65. Command responsibility is a well-established principle of international law that reflects the hierarchical structure of disciplined forces, but the language of clause 65 is taken directly from the ICC statute. There is nothing new or difficult in the language, but to exclude it or adopt different language would mean that a criminal responsibility could be prosecuted by the ICC but not by our domestic courts. In other words, ironically, it would increase the possibility of our service personnel being brought before the ICC. It is important for the protection of the armed forces that the test for command responsibility, under the statute and the Bill, remains the same. I look forward to the detail of any amendment that may be tabled on this point.

My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) said that it was important to welcome the Bill warmly and to be enthusiastic about it. He mentioned retrospection, and I shall refer to that later. He said also that we should be building a culture of justice against a culture of impunity; that was a good summary of the Bill.

I pay tribute to the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). This may have been his last speech in the House and he said that the Bill was one of the most important that he had debated in his 35 years here. He always makes thoughtful and reflective speeches, with his legal expertise on these matters, and we thank him for his contribution. He mentioned that he introduced the Tokyo Convention Bill, which started these debates some years ago.

My hon. Friend the Member for Thurrock (Mr. Mackinlay) brought a wide-ranging historical perspective to the debate and showed that the purpose of the court will be to fulfil the historic ambition of the United Nations of nearly 50 years ago. We are getting there. He mentioned residence, and I shall return to that point.

The right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) spoke of the noble objectives of the Bill, and that has been an important part of the debate. We must not lose sight of the primary objectives. We must try to get the details right, but keep the objectives in mind. We are continuing to deal with difficult questions and terrible decisions in the context of international law, but we must get this international agreement up and running.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) reminded us that we must learn from the Holocaust, and from events in Rwanda, Cambodia and elsewhere. She also injected a note of urgency. The purpose of our activity tonight, and of taking the Bill into Committee, is that we are seeking to be one of the first 60 signatories to help to shape the court and to be involved in the process of saying who the judges are and what its procedures are—but we must be at the table.

Mr. Blunt: The Minister has just said that we want to be one of the first 60 signatories in order to have a say in who the judges are. Will he confirm that we will have no more say than any of the other initial signatories?

Mr. Battle: If we are not one of the 60, we will not have a say at all. I sensed a worrying theme in the hon. Gentleman's speech and interventions; he was worried about foreign judges, rather than about getting the court up and running.

The hon. Member for Tatton (Mr. Bell) raised a serious question about the rights of the accused. We will return to the matter in Committee, but part 6 and clauses 55 and 67 provide safeguards for the accused.

My hon. Friend the Member for Bethnal Green and Bow (Ms King), who has participated in such debates before, used a helpful phrase—"international institution-building". We are doing the best we can in the circumstances. I will return to the questions of universal jurisdiction and discretion that she mentioned.

My hon. Friend the Member for Islington, North (Mr. Corbyn) has campaigned to tackle human rights abuses for some years and I know that he sees the Bill as a step forward. It will give hope to people whose human rights are abused. Incidentally, we can both welcome the fact that the UN High Commissioner has applied to extend her term for a further year.

The question of residence came up in several speeches, along with that of universal jurisdiction. We have a long-established practice of taking universal jurisdiction only as part of international law. The problem is that the statute does not require universal jurisdiction, so we do not think that we should go it alone and unilaterally say that we will do it all if the court will not do it. We could debate that in further detail, but the principle is that we would not stand in the way of extradition to another state, as provided for in the Bill, or of transfer to the ICC, but we cannot set ourselves up as a substitute court and go further than is proposed in the statute.

The concept of residence has clear links to UK law, including the War Crimes Act 1991 and the Sex Offenders Act 1997. There is a term in our law that is not the same as "presence" in the Canadian law.

Conservative Members stress their concerns about the armed forces. There is a fundamental misunderstanding, because we do not believe that the Bill poses a threat to our armed forces, and it will have no impact on their existing rules of engagement. The ICC makes no changes to the fundamental laws of war under which our forces operate, and which I assume are part of their training.

I remind the House that the former head of the British Army legal services, Major-General Tony Rogers, wrote:

"When carrying out attacks on military objectives, we are already under a treaty obligation not to cause disproportionate incidental loss and damage to civilian populations. The Geneva Conventions have been put to the test recently. I am not aware we had any difficulties complying with our treaty obligations during the Gulf War of 1991 or the Kosovo war of 1999."

The fear that the Bill would expose our services is unjustified.

The Bill is no threat to our armed forces and it will make a real difference to the lives of potential victims. If we are seriously concerned about the court's effectiveness, the best way forward is to pass robust legislation, get the statute ratified quickly and call on other states to do the same, giving the court our full backing.

The former prosecutor for the international tribunals in Yugoslavia and Rwanda, Judge Richard Goldstone, said:

"I have no doubt that the fears are without justification at all. Firstly the war crimes defined in the Rome Statute are really the most serious war crimes intentionally committed. In the second place . . . the ICC . . . will not have jurisdiction at all . . . over a British citizen if the British military and civil courts investigate in good faith any allegations made."

Our own law will cover the situation.

We have a real opportunity to lead the way in setting up an international framework that will deliver and hold to account those individuals worldwide who are responsible for the worst crimes against humanity. Hitherto, there has been nowhere to bring to justice the Idi Amins, Pol Pots and Saddam Husseins, and there has been nowhere for the survivors of crimes against humanity to seek redress. We owe it to the history of the House and our parliamentary democracy to contribute actively and positively to putting the court in place.

Question put and agreed to.

Bill accordingly read a Second time.

International Criminal Court Bill *[Lords]* (Programme)

9.59 pm

Mr. Battle: I beg to move,

That the following provisions shall apply to the International Criminal Court Bill *[Lords]*:

Standing Committee

1. The Bill shall be committed to a Standing Committee.

2. The Standing Committee shall have leave to sit twice on the first day on which it shall meet.

3. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 3rd May.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion at Nine o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Six o'clock on that day.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at Ten o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Seven o'clock on that day.

6. Sessional Order B (Programming Committees) made by the House on 7th November 2000 shall not apply to proceedings on consideration and Third Reading.

Lords messages

7. Paragraphs (6) and (7) of Sessional Order A (varying and supplementing programme motions) made by the House on 7th November 2000 shall not apply to proceedings on any motion to vary or supplement this order for the purpose of allocating time to proceedings on consideration of any messages from the Lords, and the question on any such motion shall be put forthwith.

We consider that 3 May is an appropriate date for the completion of the Committee stage—as the motion sets out. Detailed arrangements for the Committee sittings will, of course, be for the Programming Sub-Committee to decide.

The Bill has already undergone much public debate and scrutiny. We invited consultation and we received more than 45 submissions from legal experts, human rights experts and professional bodies, which helped in drawing up the Bill. The Bill has undergone scrutiny in the other place. The level of concern expressed there and during the passage of the Bill to date leads us to conclude that the date we have proposed gives a reasonable time for its consideration. More important, it will allow us to get on with the Bill so that we, too, can sign up to the statute. It is important that we are among the first 60 states to sign, so that we can be part of the formative process.

I ask the House to accept the motion.

10.1 pm

Mrs. Gillan: The way in which the Minister has just moved the motion takes my breath away. He has decided that 3 May is the appropriate date and feels that the Bill has already undergone sufficient public debate and scrutiny.

We are lucky that the Bill is even going into Committee. The Prime Minister's decision to postpone the general election has undoubtedly given us extra time in

[Mrs. Gillan]

this Session, for which I suppose we should be grateful. Only two weeks ago, it looked as though we would be unable to examine the Bill as it deserves—given the unresolved concerns that have already been expressed both in the Chamber and, earlier this year, in another place. As my right hon. Friend the Member for Horsham (Mr. Maude) said in his opening remarks on Second Reading, the concerns of those whom the Bill will most affect—the armed services—should and must receive the full attention and scrutiny of the House.

The Minister claims that the Bill received full scrutiny in the other place and that the fact that it underwent a consultation process, in which 45 submissions were made, is sufficient to justify this appalling timetable motion. Once again, an intellectually bankrupt programme motion is before the House; it effectively restricts the length of time during which elected Members can discuss an important measure.

Even before the measure is out of the starting gate in this place, the Minister tries to set down the parameters that—in his view—give a reasonable time. In whose judgment is the time reasonable? Is it just that of the Minister? Is it that of his advisers? Is it that of the Government? Is it that of No. 10? Is it that of the Minister's Cabinet colleagues? Is it that of the Foreign Secretary, or indeed that of the hon. Member for Rotherham (Mr. MacShane), whose immature interventions during Second Reading added nothing to the scrutiny process?

Mr. Forth: May I try to help my hon. Friend? She speculates that the date may have been determined by No. 10. I suggest that that is most unlikely as No. 10 is incapable of deciding any date relating to anything at any time.

Mrs. Gillan: My right hon. Friend may say that, but I could not possibly comment—although we all know exactly what he means: No. 10 seems to be incapable of making a decision without consulting ex-Cabinet Ministers and various other people.

The Minister is getting hot under the collar. No doubt he will get even hotter under the collar when he realises that he could have delivered the Bill by taking a much healthier and more mature approach to the scrutiny process. He could have dealt with it in the spirit in which we have tried to co-operate, without using the heavy hand of a timetabling motion at the eleventh hour of this Government.

The Minister's argument relies on the consultation process, during which, he says, he received 45 submissions. I remind him that the original statement on the matter was made on 20 July 1998, but that it took until 25 August last year for a Bill to appear. All that time passed before this desperately required legislation, which has to be rushed through now so that Britain will be among the first 60 countries to participate, emerged. *[Interruption.]* From a sedentary position, the Minister is shouting, "Consultation, consultation, consultation." Where have I heard a word repeated three times before?

Let me remind the Minister of a few facts about the consultation. The Bill was published on 25 August, and it was announced that the consultation period would last until 12 October. The House was in recess at the time, so Members had a fine chance to be involved in the consultation. I wrote to the Foreign Secretary pointing out that the entire process was taking place during the recess, and he very generously extended it to 27 October. He wrote to me on 9 October about that, but obviously the Department was in recess because the letter did not arrive in my office until 17 October.

The House returned on 23 October, and you, Mr. Speaker, will remember what we were doing on that day because it was a matter of great importance to yourself—we were electing the Speaker of the House. It is hard to imagine that Members would have had the opportunity thoroughly to consult and examine the Bill on the first day back, when they were electing the Speaker. In fact, the Foreign Secretary's generosity gave Members a full three days during which the House was sitting to make their submissions. When the Minister prays in aid the fact that the matter has already had sufficient public debate and scrutiny, he is trying to cheat the public of their debate and scrutiny by giving a false impression.

Mr. Maclennan: In the light of the nice remarks that the hon. Lady made about me earlier, I am somewhat reluctant to intervene, but I have to say that, if she continues in this vein, she may give sustenance to the view that is widely held by the public—which in my view is erroneous—that when the House is in recess, MPs are not working. One might draw that conclusion from the fact that neither the hon. Lady nor her party chose to give evidence to the Government during the consultation. However, it was perfectly possible to do so, and my right hon. and learned Friend the Member for North-East Fife (Mr. Campbell) did.

Mr. Speaker: That was a long intervention.

Mrs. Gillan: It was a great pleasure to give way to the right hon. Gentleman, Mr. Speaker. I assure him that he can be as nasty to me as he likes, even though I made nice remarks about him. I do not think that he was being particularly nasty; it was a gentle savaging of the cotton-wool type.

I would not want to give the impression that hon. Members do not work during the recess, but it is not outwith the bounds of possibility that certain hon. Members who work extremely hard and take their business in this place very seriously will take a few days off from time to time, and it is not outwith the bounds of reasonableness that they should do so during the recess. I feel that a Government who made such a song and dance about introducing legislation as long ago as 20 July 1998 could have managed a consultation process that fell mainly during the time when the House was sitting.

Rev. Martin Smyth (Belfast, South): I appreciate the hon. Lady's giving way on that point because she will remember that she and I debated the issue at the Commonwealth Parliamentary Association conference during the recess in September, and I was on the winning side in saying that such legislation should be introduced. Have we been helped, yet again, by events? If it had not been for recent events, we would not have been able to debate the Bill on 3 May. There is an argument about incisiveness. Why should the Bill be rushed now that it seems we have time left to us that we did not have before?

Mrs. Gillan: The hon. Gentleman makes a powerful point. Indeed, I thoroughly enjoyed debating the merits

of the International Criminal Court in the forum of the Commonwealth Parliamentary Association conference last summer. When other hon. Members were in recess, the hon. Gentleman and I were working on behalf of the United Kingdom.

Frankly, as I said in my opening remarks, this is happening by luck, not by judgment. I have no doubt that the Government are trying to slip the Bill through the House, but the fact that the general election date has been delayed to 7 June gives us an opportunity. Why has the Minister chosen the arbitrary date of 3 May? What arrogance leads him to think that he can decide the date on which we shall finish the Bill's scrutiny? What does he know that the rest of us do not? What is he privy to that he is not sharing with the House?

We must find out how the timetable fits in with the general election being called on 7 June, which we all know is the current intention—at least before something else blows the Prime Minister off course. The Bill is to leave the Standing Committee on Thursday 3 May. Monday 7 May is a bank holiday, so there will be no chance of business being conducted in the House, unless the Minister wants to change that convention. The Government think that we will be able to fit in the debate on Report on 8, 9 or 10 May—the Tuesday, Wednesday and Thursday—on a very tight timetable, in time to call the election on 14 May for 7 June.

In fact, the arbitrary date—3 May—that the Minister, like Solomon, has proposed in his wisdom, is the exact date that fits a possible parliamentary timetable to try to slip the Bill through quickly before an election on 7 June. How convenient. How artificially constructed. The Government have callously arranged to get whatever legislation they want, irrespective of the will of the House. To see the callous objectivity that the Government bring to the scrutiny of legislation, we need only look at the date given for the consideration of the Adoption and Children Bill. Was the date given to that Bill 3 May? That Bill was expected to fall; the general election was expected to occur before it was considered, so an arbitrary date of 12 June was set.

It is obvious that the Government are happy to allocate dates outside the timetable that they have set to Bills that they do not think essential and in reality want to block. We all know that they want to plan the political timetable to their own advantage. That can be seen clearly in this disgraceful timetable motion.

How on earth can the Minister choose the date before we know how many amendments will be tabled? What arrogance makes him think that he can second-guess the will of Members? During the Bill's consideration in another place, more than 100 serious amendments were tabled, and they took many hours to debate, raising some of the most complex and unresolved issues. Those issues still stand unresolved today.

The Minister should hang his head because despite the fact that, according to him, the Bill is supposedly perfect, after the enormously elaborate process of scrutiny to which he referred, the Government still had to amend it in the other place. That shows the irony of having an unreasonably short consultation process and then introducing a Bill that had to be amended in another place because the Government had not thought of everything. Who is to say whether more fundamental flaws in the Bill will or will not be identified? However, before we can see the amendments, the time allowed for the Bill's passage will have been decided by a Minister who has only just taken on this brief. The hon. Gentleman is the third Minister to have handled this business since 1998. The fact that he is the third Minister to have tried to get to grips with it may explain why the Bill has not been introduced in a more timely fashion.

Mr. Bercow: My hon. Friend is developing a cogent case against the way in which the Government intend to proceed. Does she not agree that it is further evidence of the importance of changing the procedure whereby a Programming Sub-Committee meets in private and has its composition polluted by virtue of the presence of a Government Whip?

Mrs. Gillan: My hon. Friend panders to my prejudices. My first Programming Sub-Committee, which met in secret, was a deeply unsatisfactory occasion. A powerful case has been made for re-examining the procedures that have been thrust on the House and for changing them, so that the will of the House and Members' representations are taken into consideration.

The Bill has six parts, 84 clauses and 10 schedules. By its very nature, it involves serious constitutional issues. Its fundamental aims are not the source of acrimonious dispute within the House or between the parties, but it is a large Bill by any standards and serious concerns were aired on Second Reading, by Government as well as Conservative Members.

Introducing a Bill such as this at the eleventh hour and imposing a timetable motion at this stage is quite inappropriate. The motion flies in the face of the assurances that the Foreign Secretary gave to the House. In a debate on the International Criminal Court, he said:

"I deal finally with the question of ratification. This will not be a swift or fast-track process."

It certainly has not been a swift or fast-track process because the Government themselves have delayed it. However, the right hon. Gentleman added:

"We are now arranging to draw up the appropriate legislation, but that legislation will be complex. It is not legislation that I would dream of asking the House to pass in a one-day sitting, as happened with the landmines treaty, because I suspect that it will contain many clauses that will give lawyers many hours of fruitful debate as it passes through the House. Therefore, it is not something which the House should imagine will be rushed through".—[*Official Report*, 20 July 1998; Vol. 316, c. 807.]

What price that assurance today? We have a timetable motion that will give the Committee a maximum of 10 sittings before 3 May, the marvellous date that has been plucked out of the air to suit a political timetable and the convenience of the Government.

I agree with the Foreign Secretary that the Bill should not be rushed through. As the right hon. Gentleman said, five weeks of difficult and intensive negotiations led up to the Bill. The Minister is chatting away and is so disengaged from the debate that it is unbelievable, but may I ask him whether any restrictions were imposed on those negotiations at the time? Were they curtailed by a programme motion? Of course not, because that would have been ridiculous, but yet again the House faces the indignity of a forced timetable from this rotten Government.

[Mrs. Gillan]

The erosion of the democratic process under this Government seems to be inevitable. In the House these days, we are asked to deem that we have scrutinised Bills that we have not scrutinised; we truncate the scrutiny by elected Members of legislation that can affect the lives and deaths of individuals; and we refuse to allow elected representatives to fulfil their obligations. All hon. Members are obliged to contribute and do their best to improve legislation. The principles behind the programme motion show the contempt in which the Government hold the parliamentary process and the Chamber. Once again, without an apology, we have a second-rate proposal from a second-rate Government. It will come as no surprise to the Government that we will vote against it.

10.20 pm

Mr. Eric Forth (Bromley and Chislehurst): Although the Bill may be lousy, it is substantial. As my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) said, legislation that contains 84 clauses and 10 schedules should give us pause for thought. Without wanting to go into detail, a mere perusal draws my eye to important matters such as requests for arrest and surrender, bail and custody, entry, search and seizure, fingerprints or non-intimate samples, detention in the United Kingdom in pursuance of an ICC sentence, genocide and "mental element". There is more than enough material to require proper lengthy and detailed consideration, not least, as my right hon. Friend the Member for Horsham (Mr. Maude) explained at the outset, because the Opposition want to draw the Standing Committee's attention to substantial matters. We will want to persuade the Government that serious and proper amendments should be made before the Bill can receive our support.

If the past is anything to go by, the Bill's size, the nature of its content, and what my right hon. Friend the Member for Horsham said all make it clear that the Committee's consideration will take some time. I assume that the Committee of Selection will meet tomorrow and the Standing Committee will sit next Tuesday. As that will be one of those funny early bunk-off days, it will not be able to deliberate at length and will not sit again until 24 and 26 April and 1 and 3 May. That leads us into interesting and worrisome territory, because 3 May might be too distant.

Let us turn the argument on its head. If the Government are serious about getting the Bill enacted, and given the Prime Minister's intention to hold the elections on 7 June—if we can believe anything he says—and hence the day when dissolution will have to take place, there is a distinct risk that it may not make progress. Frankly, that would not cause me a minute's loss of sleep.

Mr. Maude: Many of the concerns that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) raise involve the connection between the timetable and the date of the general election. As the right hon. Member for Hartlepool (Mr. Mandelson) is in the Chamber, would it not be simpler to ask him to confirm the date? We understand that he is pulling the strings from behind the scenes and he could clear the matter up for good.

Mr. Speaker: Order. This is a programme motion.

Mr. Forth: What a pity, because that was getting interesting. I shall try to leave the right hon. Member for Hartlepool (Mr. Mandelson) out of it, unless he wants to intervene.

The date of 3 May is important, not just because its otherwise historic importance slipped by while our vacillating Prime Minister tried to make up his mind. The main question that we must consider is not why the end date is 3 May and whether the Government have made the correct calculations, but whether they have put the Bill at risk by choosing that date. I hope that they have. Worse, they are caught in a dilemma between allowing the Committee reasonable time in which to consider the Bill properly and granting the measure a reasonable opportunity of succeeding.

I believe that the Government have fallen between two stools. We will not get enough time to scrutinise and consider the Bill properly, nor will we give the measure the maximum opportunity of succeeding. That is typical of the Government, who do not understand the operation of the House. They do not care, they are not interested, and, therefore, they are in danger of getting matters tragically wrong yet again.

We have witnessed a succession of cock-ups, misjudgments and Government mishandling, which mean that Bills fail or do not receive proper consideration. If they get pushed through in a peremptory fashion, the Government have to correct them later.

Mr. Bercow: The need for urgency in legislation is greatly overstated and overrated. I speak as someone who is probably regarded as feeble, pathetic, hand-wringing, moisture-emitting and wet, because I believe that there is much merit in the Bill. There is no urgency about its passage that should prevent lengthy, civilised, detailed and comprehensive discourse on its contents for as long as necessary before deciding whether to pass ut.

Mr. Forth: That intervention is helpful because it is made by a self-confessed enthusiast for the ghastly measure. It also puts matters in context.

We have doubts about the Committee stage, but matters get materially worse on Report and Third Reading. This arrogant Government with their hobnailed boots have provided that

"proceedings on consideration shall . . . be brought to a conclusion at Nine o'clock on the day on which those proceedings are commenced or, if that day is a Thursday, at Six o'clock on that day."

That applies regardless of other business. More emergency measures may have been tabled by then. The Government have turned the emergency into the routine in a way that we could hardly have foreseen.

Moreover, statements may be made. In your generosity, Mr. Speaker, you may grant a debate under Standing Order No. 24. The Government ignore such matters and confidently tell the House that, regardless of proceedings in Committee or intervening events, deliberations on Report and Third Reading will be completed by nine o'clock. That is outrageous for a Bill of this size, even given the truncated Committee stage for which the motion allows. Yet the Government employ that approach time and again. They are not interested in proper scrutiny; they

are relaxed about pushing through defective legislation, even on an important subject such as the Bill allegedly is to some people, and then trying to correct it later.

The Minister and his colleagues like to strut around the international stage, attend ridiculous conferences and ludicrous get-togethers and gatherings, puff out their chests and feel important. I should have thought that they would want to tell other important international figures that they had got the measure right—but no. They are so casual about even their international contacts and junketings that they do not care whether the Bill is right.

The measure will be shoved through an inadequate Committee stage, nodded through a ridiculous Report and Third Reading, and the Government assume that they will get it right. I am sorry, not for the Government, but for my country, because it is represented by such inadequates as those on the Labour Front Bench. They affect to strut around the international stage, and put us at risk of getting the measure completely wrong. That would be bad enough with a domestic matter, but with a global, galactic matter such as this, I would have thought that it was rather important to get things right.

Mrs. Gillan: Will my right hon. Friend give way?

Mr. Forth: Yes, but I am trying to conclude my speech now.

Mrs. Gillan: My right hon. Friend is making some very important points, but does he agree that one would expect the Government at least to take into account the views of the Chairman of the Select Committee on Foreign Affairs, the right hon. Member for Swansea, East (Mr. Anderson), who is in his place now? On 11 December, in this Chamber, he said:

"there must be proper scrutiny, as the Bill is highly technical and needs a certain legal expertise."—[*Official Report*, 11 December 2000; Vol. 359, c. 410.]

Is that not an admission that even the Chairman of the Foreign Affairs Committee believes that there must be proper scrutiny? Moreover, the Bill is so complex that I understand that the Minister will be joined in the Committee by one of the Law Officers, which goes to show that the right hon. Member for Swansea, East is right. What does my right hon. Friend think of that?

Mr. Forth: Given the Minister's inadequacy, I am not surprised that he needs a crutch or prop, in the shape of one of his colleagues, to help him in the Committee. I certainly agree that the Chairman of the Foreign Affairs Committee is extremely influential, important and senior—

Mr. Blunt: And respected.

Mr. Forth: And respected—and we should listen to what he says.

This matter now stands exposed for what it is. It is a travesty; it is nonsense. I hope that the House will throw the programme motion out so that we have the opportunity to scrutinise the Bill properly and do it justice.

10.31 pm

Mr. Donald Anderson: I have never been described as a crutch or a prop before—but in all humility, I have to admit that I agree with those wise words that the Chairman of the Foreign Affairs Committee uttered last December.

There is a certain easy familiarity about our debates on programme motions, and I sometimes feel rather as if I am watching one of those bad films and saying, "Isn't this where I came in?". The cast is almost invariably the same. Sometimes the arguments are good and sometimes they are bad. I suspect that tonight they are rather more flimsy than normal—although that does not stop the Opposition dipping into their pool of hyperbole and railing at the Government. Indeed, I believe that as his hyperbole rose to an ever higher pitch, the right hon. Member for Bromley and Chislehurst (Mr. Forth) suggested that the programme motion was not only a gross disservice, but a "galactic" disservice to the House.

I shall not be unkind to the hon. Member for Chesham because we all like her, but she was trying to make bricks without straw. I was reminded of a friend who, very nervously, appeared before the Court of Appeal for the first time. After he had been speaking for a quarter of an hour or so, one of the judges said, "Mr. X, is that your best point?". My friend quivered, "My lord, it is my only point."

Similarly, I thought that the hon. Member for Chesham had one good point, which was that the Government were at fault in delaying the publication of the Bill. There may have been good technical reasons for that, because of the pressure from other directions on the parliamentary draftsmen—but the Government were at fault because of the very long delay. We in the Foreign Affairs Committee pointed that out. Indeed, for some time we had been urging the Government to get on with it.

The hon. Lady said, among other things, that two weeks ago it did not look as if the Bill would have the time that it deserved. Since then, however, things have changed. I do not know to what extent the change was influenced by my right hon. Friend the Member for Hartlepool (Mr. Mandelson), but now we have at least the possibility of having enough time, if we act reasonably. The hon. Lady admitted that we now had the opportunity to hold at least 10 sittings. I would have thought that adequate, especially as the Opposition will be able to select the key elements debated within that time, and in view of the fact not only that there has been considerable input from outside specialists during the consultation period—as great, probably, as that regarding any Bill of this nature—but that there has been a very learned legal trawl through the Bill in another place.

Mrs. Gillan: I would just like to remind the right hon. Gentleman that I am the Member for Chesham and Amersham. The "and Amersham" is very important.

Will the right hon. Gentleman accept that, even though there is a possibility of our having 10 sittings in Committee, there is no constitutional guarantee that any of those sittings will take place? During our deliberations on the International Development Bill, when no Chairman was available to chair the Committee, we lost some time from the scrutiny of that Bill. That time could not be put back into the process later. So even though it might appear that there will be 10 sittings, there might not be. That point was partly made earlier by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) when he spoke about emergency legislation, SO24s, or whatever, in the House possibly bringing to a halt the anticipated process. Will the right hon. Member for

[Mrs. Gillan]

Swansea, East (Mr. Anderson) accept that there is no guarantee of 10 sittings taking place and that the programme motion is therefore bankrupt?

Mr. Anderson: May I say first that I meant no disrespect to the good people of Amersham, and I hope that the hon. Lady will convey my personal regrets to them for failing to mention them?

Of course there is no guarantee, as the right hon. Member for Chislehurst—

Mr. Bercow: And Bromley.

Mr. Anderson: I am sorry. Perhaps the right hon. Gentleman will convey my apologies to Bromley.

Of course there is no guarantee of 10 sittings, but the Government would lay themselves open to criticism if they did not give adequate time for debate. I hope that some parliamentarians on the Government Benches would be equally ready to criticise them if they did not provide that time. The right hon. Member for Bromley and Chislehurst pointed out that there could be a number of occasions on which that time might be truncated because of statements, and so on. However, this is a matter of good faith. Clearly the hon. Member for Chesham and Amersham has no faith at all in the Government, but I tend to have a little more than her.

The key foreign policy point is that if we were not to meet the deadline of 3 May, the Bill would not pass during this Parliament.

Mr. Forth: Good.

Mr. Anderson: That, however, would cause considerable difficulty and would be against the interests of this country. The Bill would then have to be revived in the next Parliament, and might not become law thereafter until, perhaps, the end of this year. There would be considerable slippage, and all the advantages of the Bill's becoming law—in terms of providing a model and setting a precedent for other countries, of showing what we can do, and of being among the first 60 states to ratify the agreement—would be lost. That would do a great disservice to this country. I believe that we have sufficient time—Goldilocks-like: not too long, not too short—in the 10 sittings adequately to scrutinise the Bill and to ensure that this country honours its international obligations.

10.38 pm

Mr. Gerald Howarth: This is a serious debate on an extremely important Bill. The right hon. Member for Swansea, East (Mr. Anderson)—I shall not forget the "East"—may have recognised that many of us on the Opposition Benches feel that this is yet another example of the Government's arrogance in wishing to steamroller through legislation without giving it proper scrutiny. That has become a hallmark of this Government, and every time they move a programme motion we shall speak against it, even though the journalists have gone to bed.

My hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) was absolutely right to expose the Government's intention to shoe-horn the Bill through in time for the general election. Of course the right hon. Member for Hartlepool (Mr. Mandelson) is here, but he is not here just to report back to the Prime Minister. He is also here to report back to Mr. Trevor Kavanagh, the man who really makes the decisions about when general elections are to be held.

My hon. Friend the Member for Chesham and Amersham was absolutely right to point out that we have not had the opportunity properly to scrutinise the legislation today and my right hon. Friend the Member for Horsham (Mr. Maude), the shadow Foreign Secretary, has already said that we shall table a number of amendments in Committee. The idea that they can be debated in 10 sittings and receive proper scrutiny in the House on Report was demolished by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who said that only four hours may be available to the House to consider amendments that may have been accepted in Committee. However, I have to say that the chances of amendments being accepted are remote, given the way that the Government treated the Bill in the other place.

The Bill is extremely important and it has huge potential consequences for our armed forces. The first duty of the House is to ensure that the nation is properly defended. That means ensuring that our troops have the equipment that they need and proper conditions in which they can serve their country and perform the duties laid on them by this or any Government. This Government have been keen to deploy our troops, so the potential consequences for them when they go into battle are serious indeed.

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. Will the hon. Gentleman please confine his remarks to the programme motion?

Mr. Howarth: Thank you for reminding me of that, Madam Deputy Speaker, but my point is that although there are serious issues at stake, even some Members who were in the Chamber—let alone those who saw how many hon. Members wanted to speak but left to fulfil other responsibilities after taking the view that they had no chance of getting in—did not have the opportunity to contribute.

Many Members want to speak on the matter. They also want to know how the Bill will be dealt with in Committee and whether the Government will accept amendments tabled by the Opposition. If the Government are not prepared to accept amendments, we shall have not 10 sittings, but perhaps only four or four and a half hours in which to consider the Bill on Report. Certainly, five and a half hours will be available at the absolute maximum. That is a grave discourtesy to the House and a grave discourtesy to our armed forces, which will be much affected by the Bill.

Mr. Bercow: Does my hon. Friend agree that the Government consider their proposed timetable adequate because they envisage not no debate on amendments, but merely, in the style of the Foreign Secretary, their dismissal? Will not their approach be characterised, as was the Foreign Secretary's speech, by arrogance, presumption and disdain for any alternative point of view?

Mr. Howarth: My hon. Friend's lexicon of adjectives with which to describe the Foreign Secretary is rather meagre. He could provide many more.

The debate is extremely important for another reason: the United States has not ratified the treaty. We have not had the opportunity to discourse at length on that matter. Some senior figures in the United States have described the International Criminal Court—

It being forty-five minutes after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Order [7 November 2000].*

The House proceeded to a Division.

Madam Deputy Speaker: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 310, Noes 137.

Division No. 173] **[10.44 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*

Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Graham Allen and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Ieuan Wyn *(Ynys Môn)*
Key, Robert
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Owen Paterson.

Question accordingly agreed to.

INTERNATIONAL CRIMINAL COURT BILL
[*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the International Criminal Court Bill *[Lords]*, it is expedient to authorise—

(a) the payment out of money provided by Parliament of any expenditure of the Secretary of State incurred in consequence of the Act;

(b) the payment out of such money or the Consolidated Fund of sums in respect of contributions or benefits in respect of judicial pensions arising in connection with the appointment of the holder of a United Kingdom judicial office as a judge of the International Criminal Court;

(c) the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under any other Act.—*[Mr. Jamieson.]*

Question agreed to.

Christmas Day (Trading) Bill [*Money*]

Queen's recommendation having been signified—

10.59 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I beg to move,

That, for the purposes of any Act resulting from the Christmas Day (Trading) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums so payable under any other Act.

As drafted, the Christmas Day (Trading)— *[Interruption.]*

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. Will hon. Members leaving the Chamber please do so quickly and quietly so that this debate can commence?

Mr. O'Brien: As drafted, the Christmas Day (Trading) Bill may have some small expenditure implications for the Treasury purse, and a money resolution is therefore required. The small amount of extra expenditure would be in respect of inspectors to enforce the prohibition on the opening of large shops on Christmas day.

Only a handful of such shops have so far opened on Christmas day, and enforcement should be assisted by the fact that advance local publicity would almost certainly be required if large shops intended to open in future. Although the implications are relatively small, it is none the less appropriate to put this motion before the House.

11 pm

Mr. Eric Forth (Bromley and Chislehurst): At least the Minister has taken the trouble, on this occasion, to come to the House and give a brief explanation of the money resolution. For that, I suppose we should be grateful, but I am not sure that the Minister said enough to persuade me that the resolution should be approved—at least, not without some further thought.

The Bill has far-reaching ramifications. It may be short, which is commendable in a private Member's Bill, but it has substantial implications. Clause 1 is entitled "Large shops not to open on Christmas Day", and that gives a fair idea of what the Bill is about. The schedule to the Bill gives some indication of the ramifications.

I shall pass over what I believe is a grammatical error in the first line of the schedule, which states:

"It shall be the duty on every local authority to enforce within their area".

I should have thought that the phrase "its area" would have been more appropriate. Perhaps we should vote money for literacy lessons for parliamentary draftsmen and Home Office officials, so that the Bill could be got right. That would be a proper use for money flowing from the money resolution.

I exonerate the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) from any blame for that error, as I suspect that the Bill was drafted either by the Union of Shop, Distributive and Allied Workers or by the Government, or a bit of both.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I do not always rise to the right hon. Gentleman's bait, but I cannot let him get away with something on which he is totally wrong. The Bill was not drafted by USDAW or the Government.

Mr. Forth: In that case, the hon. Lady must plead guilty to the grammatical error that I have pointed out, but I shall not hold that against her.

The resolution would allow the effects of the responsibilities outlined in the schedule to be carried out. The schedule states, grammar notwithstanding, that local authorities are to be given an additional responsibility to enforce the provisions of clause 1(1) in their areas. It continues:

"For the purposes of these duties under paragraph 1 . . . it shall be the duty of every local authority to appoint inspectors".

It adds that those inspectors may already have been appointed as inspectors by the local authority. However, they may not have been so appointed, which means that additional inspectors might have to be appointed so that local authorities can properly discharge the duties laid on them by the Bill.

Therefore, the Minister was not right to brush aside or minimise the Bill's financial impact. How many inspectors would be required adequately to police shops on Christmas day? People paid by the hour would be on double or triple time. You, Madam Deputy Speaker, will know more about that sort of thing than I, and the hon. Member for Crewe and Nantwich certainly knows a lot about it. Perhaps she will tell the House later in the debate whether inspectors would be paid triple time on Christmas day as they go around ensuring that all the large stores do not open in defiance of the Bill.

Straight away we have the potential for considerable expenditure. I presume also that inspectors would be on expenses, so they would be paid triple time and expenses in order properly to discharge their duties. One can just imagine a veritable army of inspectors plodding around large stores on Christmas day to ensure that they were not opening in defiance of the Bill.

That is bad enough. When we come to paragraph 3 of the schedule, which states:

"Paragraphs 3 and 4 of Schedule 2 to the 1994 Act (powers of entry and obstruction of inspectors)",

we realise that we are getting into much more serious territory. Here we have the possibility—the financial implications can only be guessed at, but that is what we are here to do—of inspectors seeking to enter the premises to see whether they are open. Presumably, premises would be quite easy to enter if they were open, and if they were not open, the inspectors would not have to enter them, so the provision may be otiose.

Madam Deputy Speaker: Order. I remind the hon. Member for Meriden (Mrs. Spelman) that the Chamber is not the place for doing work that is not to do with the debate.

Mr. Forth: We are faced with a conundrum as to whether the powers of entry and obstruction would carry with them any financial implications. I am, I confess, somewhat confused as to whether that would be the case. I suspect that the inspectors, frequently mentioned in the schedule, would be the Bill's largest financial implication. However, we should take into account a contrary factor that may contribute to a minimising of the financial implications.

[Mr. Forth]

As right hon. and hon. Members will know, because they will have studied the Bill very closely, clause 1(3) provides that, if subsection (1) is contravened,

"the occupier of the shop shall be liable on summary conviction to a fine not exceeding £50,000."

Were that to be the case, the Bill could be almost self-financing. The fines imposed on large stores opening in contravention of the Act—were the Bill to reach the statute book—might well pay for the peripatetic inspectors. We would be in the rather satisfactory position of the shops opening in defiance of the Act, being found out by the wandering inspectors and paying the fine, which would go to pay the triple time and expenses earned by the inspectors.

The whole thing would have an elegant simplicity, and the self-financing aspect might well render the money resolution otiose. Perhaps we could talk ourselves into not passing the money resolution in the secure knowledge that the Bill would be self-financing. I do not know whether the Minister, the hon. Member for Crewe and Nantwich or some of my colleagues find that an attractive idea. However, I think that these matters should be considered before we rush into deciding whether to vote for or against the motion.

All in all, we should be grateful to the hon. Lady for giving us a chance to consider the Bill. She can be sure that we shall have a good old go at it on Report when it comes out of Committee—I envisage most of a day spent debating it then. However, we may want to give a little more thought as to whether the money resolution is as onerous as I first thought.

Mrs. Dunwoody: Is the right hon. Gentleman's objection to the Bill that he would prefer people to work on Christmas day when it does not fall on a Sunday?

Mr. Forth: My preference is for people to work whenever they want to. I am very keen on people doing lots of work on lots of occasions. I am very much opposed to heavy-handed interventionist regulation, especially when it is driven by trade unions and especially when it would deny people the freedom to choose to work on any day of the year on which they wanted to do so. That is my view, and it remains unaltered.

Mr. John Bercow (Buckingham): I fear that my right hon. Friend's prognosis is a triumph of optimism over reality. I challenge him to tell me whether he can enumerate, in the course of a 10-minute speech, the number of occasions on which a money resolution has proved to be self-financing. As the declaration of interests is of paramount importance in our proceedings, may I just say that I speak from some experience on the subject of working on Christmas day? For 20 years at least, I worked on Christmas day teaching my mother how to play tennis, which was an extremely burdensome way in which to make a living.

Mr. Forth: My hon. Friend seems none the worse for the experience.

Dr. Julian Lewis (New Forest, East): You should see his mother.

Mr. Forth: We shall leave my hon. Friend's mother out of it for the time being.

The money resolution has more to it than might at first have met the eye, and it illustrates the value of these debates. I pay tribute to the Minister because, all too often, his colleagues believe that these matters should just be quietly nodded through or do not require explanation. However, the Minister—typically of him—has taken the trouble to come to the House and set out his view briefly.

Mr. Edward Leigh (Gainsborough): My right hon. Friend has paid a generous tribute to the Minister. Perhaps I missed it, but has anyone explained to us how much the measure will cost?

Mr. Forth: Perish the thought; my hon. Friend asks too much. We cannot expect Ministers to put figures on these matters. Money resolutions are essentially blank cheques; the Government say that they need some money, but they do not know how much. They ask us to sign a cheque, hoping that the grateful taxpayer is looking the other way, not noticing what is going on. Our job is to try to winkle out of Ministers how much is involved. We usually fail, which is why I hope that we shall vote against the motion tonight, if only on the basis that we do not believe in blank cheques.

11.13 pm

Mr. Michael Fabricant (Lichfield): It is a great pleasure to take part in this debate. I served on the Committee that examined the Sunday Trading Act 1994. I remember at the time that the Shopping Hours Reform Council tried to argue with me that there ought to be some compromise on the issue. However, I agree with my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) that it should be up to people to decide for themselves when they can or cannot work.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are discussing the money resolution and that debate should be limited to that.

Mr. Fabricant: Of course, Madam Deputy Speaker, but I was just outlining the position. During our debates on the 1994 Act, I was in discussion with the John Lewis Partnership, which is owned by the 45,000 partners who work for the company. There was considerable debate as to whether stores should open on Sundays. The John Lewis Partnership's stores remained closed on Sundays, including its Waitrose supermarkets, whereas other stores, such as Tesco—

Madam Deputy Speaker: Order. I remind the hon. Gentleman once again—his contribution would be far more appropriate to a Second Reading debate than to a debate on a money resolution.

Mr. Fabricant: I agree, of course, Madam Deputy Speaker, but I would argue that some of these points have direct relevance to the motion.

I am surprised that my right hon. Friend the Member for Bromley and Chislehurst did not mention clause 1(2)(b), which refers to

"shops occupied by persons observing the Jewish religion".

Those shops would be exempt, but how are inspectors to know—this is directly relevant to the cost of enforcing the Bill—whether the shopkeeper is of the Jewish religion? We discussed that at some length in Committee on the 1994 Act.

We are approaching the time of Pesach, the Jewish Passover. Should people be exempt—

Madam Deputy Speaker: Order. This is the third occasion on which I have had to remind the hon. Gentleman to confine his remarks to the money resolution.

Mr. Fabricant: Inspectors have to be paid for by the state. How are they to ascertain whether a shop is owned by people of the Jewish religion? It is no longer an easy point. The Jewish religion is not a race.

Dr. Julian Lewis: Let me assist my hon. Friend. He and I are both members of the Jewish religion. Does he not think that the mezuzah placed on the doorway of premises occupied by Jewish people might just give the inspectors a clue?

Mr. Fabricant: I disagree. I do not want to be ruled out of order for a fourth time, but let me say that I do not have a mezuzah on any of my properties.

Dr. Lewis: Shame.

Mr. Fabricant: I am none the less of the Jewish religion. I believe that a cost will—

Madam Deputy Speaker: Order. These matters could well be debated in Committee rather than under this resolution.

Mr. Fabricant: I am sure that they could be debated in Committee, but this matter relates directly to the money resolution. There is no question but that, if there is difficulty in ascertaining the ownership and the religion of the owners of a shop that may be open on Christmas day, let alone Pesach, Chanukah or any other Jewish holiday, a cost will arise. However, I will move on from that point, as I have explored it to the limit of your patience, Madam Deputy Speaker.

I take my right hon. Friend's point about schedule 3, on powers of entry: it does seem otiose. There is a very large John Lewis store in Bluewater. The employees there voted two or three years ago to open on a Sunday, which they are permitted to do under the 1994 Act. Had they voted differently, the store would have remained closed on a Sunday, which reinforces my right hon. Friend's point that it is up to the employees in many organisations. Indeed, it is up to the employees in all organisations not to be victimised if they—

Madam Deputy Speaker: Order. We are fully aware of the provisions of other pieces of legislation. Once again, will the hon. Gentleman please confine his remarks to the resolution?

Mr. Fabricant: My point is that there are costs arising from inspectors' powers of entry. My right hon. Friend said that inspectors have to be paid for, and explored the matter at some length.

Mr. Bercow: Is not the essence of our objection to the money resolution that we have a preference for specificity, whereas the Government insist, apparently, on generality? The modern and rather vulgar term is "voting for a pig in a poke". Does my hon. Friend, who is of an historical turn of mind, agree that the words "riddle", "mystery" and "enigma" readily spring to mind?

Mr. Fabricant: Indeed. My hon. Friend knows, because we have served together on several Committees, that I object to the blank cheque syndrome. As my right hon. Friend the Member for Bromley and Chislehurst said, the motion is a blank cheque. Yet again, the Financial Secretary to the Treasury is asking the House to consider such matters—although we are delighted to see my constituency neighbour, the Under-Secretary of State for the Home Department, who introduced the resolution. However, if we were to ask the Under-Secretary what the costs of the resolution would be, I doubt that he could answer because, as my right hon. Friend has already pointed out, many such money motions are not costed.

The main point of the Bill has direct relevance to the resolution. Paragraph 3 of the schedule refers to the inspectors' powers of entry. It is clear that no analysis has been made of the number of inspectors that may be required; of the wages that they might have to be paid; or of whether the inspectors might be on double, triple or even quadruple time. As my right hon. Friend pointed out—and as I was about to say before my hon. Friend the Member for Buckingham (Mr. Bercow) intervened—if a store such as John Lewis at Bluewater has chosen to be open, I cannot see why there should be a power of entry. If a large department store is open, people can go in and see that for themselves, so why does the state have to pay—more to the point why does the taxpayer have to pay—for inspectors under the motion? I have to ask that question.

I confess that I support the Bill itself; it is promoted by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), for whom I have the greatest respect—as she knows. However, I must ask why the Bill needs a money resolution. The matter is disturbing, because when the Under-Secretary moved the resolution, he gave no reason for its introduction.

Mr. Graham Brady (Altrincham and Sale, West): I fear that my hon. Friend may be missing the point. Even though the shop in question would clearly be open to the public as regards its trading area, surely the powers of entry under the Bill would apply to private areas—perhaps the offices or staff areas. It may be necessary to obtain access to those areas to ascertain whether the proprietors are of the Jewish faith.

Mr. Fabricant: I have to disagree with my hon. Friend—this is a rare occasion. He will note that paragraph 3 of the schedule relates to schedule 2 of the Sunday Trading Act 1994, which refers specifically to whether the selling floor is open. That makes my point: if the selling floor is open, that is clear for everyone to see. We do not need inspectors; nor do we need to give them powers. That begs the question: why is motion No. 7 on the Order Paper? Why is a money resolution needed for the Bill?

Mr. Brady: I readily admit my error and my hon. Friend's superior knowledge of the Bill, and I am grateful to him for making that point. He is asking whether it is necessary to have inspectors at all and, therefore, whether

[Mr. Brady]

the resolution is necessary. Has it occurred to him that given that the stores involved doubtless advertise the fact that they will be open on the day in question, that fact could be ascertained from the advertisements, without the need to retain inspectors on Christmas day?

Mr. Fabricant: My hon. Friend makes a powerful, sensible point that directly relates to the cost of implementing this laudable Bill. An inspector need not be employed if it is apparent to all whether a shop is open. I know that my right hon. Friend the Member for Bromley and Chislehurst takes exception to my support for the Bill, and I can understand that. Nevertheless, I do not believe that inspectors are necessary to ensure that it is implemented.

I come now to clause 2, which relates directly to the money resolution. It refers to the 1994 Act and the expressions "large shop", "retail customers" and "shop", which should have the meaning given to them by paragraph 1 of schedule 1 to the Act. I may be wrong, but I recall that a large shop is defined as 5,000 sq m.

Mr. Bercow: Feet.

Mr. Fabricant: I wondered whether it was feet. I recall that the original definition given by the Shopping Hours Reform Council was in feet, but sadly—

Madam Deputy Speaker: Order. The hon. Gentleman surely knows that this is in no way related to the money resolution that we are discussing.

Mr. Fabricant: The argument about whether the measurement is in feet or metres has nothing to do with the money resolution, as you rightly say, Madam Deputy Speaker, but the exact size of a shop has every relevance. What if a shop were on the margin? Would an inspector be expected to go into John Lewis at Bluewater, if I may give that example again? May I say that I do not have to declare an interest—I have no involvement whatever with the John Lewis Partnership, other than having many friends who work for it. Are the inspectors meant to enter the store and measure the size of the trading floor? If they are—

Madam Deputy Speaker: Order. The simple answer to that question is no. We are discussing the money resolution, which has nothing to do with the size of the store.

Mr. John Redwood (Wokingham): Would my hon. Friend like to say that he fears that one of the big problems with the money resolution is that the figures that have been given are lamentably lacking and likely to be totally wrong? We have seen that so many times with the regulatory rubbish that the Government come out with. They tell us that it will not be very costly, and then a year or two later we discover that it is massively costly. Would my hon. Friend like to give the House his thoughts on that point?

Mr. Fabricant: My right hon. Friend makes a relevant, salient point, as always. What would be the cost of a team of inspectors going into the menswear department of John Lewis at Bluewater and measuring the floor size? If the floor size were such that it was not defined as a large shop, the inspectors would be acting ultra vires. The Home Office could be prosecuted, the Minister could be dragged before the courts and there could be a judicial review. All those costs would come under the terms of the resolution.

My point, which I want to make very clearly so that there is no misunderstanding, is that the definition of "large shop" is important to the cost covered by the money resolution. If there were any doubt, an inspector would have to determine whether the shop was large, in which case it would come within the ambit of the Bill, or whether it was small, as defined by the 1994 Act, in which case it would not. Someone will have to determine the size of the shop. In case of dispute, someone will have to measure the selling area, and that will cost money.

I challenge the Minister to tell the House precisely how much the Bill will cost to implement. Let there be no doubt that a cost is always entailed when the Government introduce a Bill—or, indeed, when a private Member introduces a Bill with Government support. The money does not come from a bottomless bucket. The cost is not borne by the Government—it is borne by you, Madam Speaker; it is borne by I—

Mr. Redwood: Me.

Mr. Fabricant: I am sorry, I should have said that it is borne by me. I am very grateful to my right hon. Friend for correcting me. The preposition is always followed by the accusative.

Mr. Bercow: Will my hon. Friend give way?

Mr. Fabricant: I am summing up, but I shall give way.

Mr. Bercow: Far be it from me to interrupt my hon. Friend's oration—or, more particularly, what might be described as his peroration—but does he agree that the lacuna in the money resolution is that it is as gloriously vague on the cost to the taxpayer, as is clause 3(1) on the likely cost to the retailer?

Mr. Fabricant: There is more than one lacuna; there are several lacunae. That is the problem—"there's the rub." Yet again, the taxpayer has to cough up the cost of a Bill. Once again, when challenged to tell us the cost, the Minister is unable to do so. He is unable even to give us an order of magnitude. Does he think that the Bill will cost the taxpayer £10,000, £100,000, £1 million or £10 million a year, or will it cost more than that? The Minister benevolently smiles at me, but let *Hansard* and the people note that there is no indication of what the Bill will cost to implement.

I believe that not just the John Lewis Partnership but all organisations must, in effect, have the co-operation of their staff to determine whether to open on Sundays—which is dealt with under the 1994 Act—or, if the Bill is enacted, whether a shop opens on Christmas day. Without the co-operation of the staff, shops, especially large ones, cannot open on those days. I have to question whether it is necessary to have inspectors, whether they need powers of entry, whether rules against obstruction should exist

and whether the inspectors will have to measure the size of shop floors to determine whether they fall within the ambit of the Bill.

If the Minister were to assure the House that inspectors are not necessary, or that there would be a small number of them, it would have a direct impact on the resolution. Clearly, with few or no inspectors, there would not be a major consequence on the taxpayer. However, if the Minister envisages teams of inspectors marching around the country with their measuring tapes, paid on double, triple or quadruple time, determining whether shops are large under the terms of the 1994 Act, that would place an appropriately large cost on the taxpayer.

As I was saying about five minutes ago in my peroration, Madam Deputy Speaker, we in the House should always remember that the Government do not stump up the money for such Bills and that the state does not stump up the money for them; it is you and me and, more importantly, our constituents whom we represent.

11.34 pm

Mr. Edward Leigh (Gainsborough): I shall be brief. These debates serve a useful purpose—after all, Parliament was created to hold the Executive to account on money; that is what we are about. Often a worthy Bill—this is a worthy Bill—goes through because there is no great opposition to it. [HON. MEMBERS: "There is."] There is some opposition to the Bill, because my hon. Friends make that clear, even though the fashionable view may be that it is distasteful to trade on Christmas day.

Mr. Forth: Will my hon. Friend give way?

Mr. Leigh: I will, but I was just getting into my stride.

Mr. Forth: Is my hon. Friend aware that when there was a vote on the Bill, 37 out of 659 Members of Parliament voted for it?

Mr. Leigh: I was happy to assist my right hon. Friend in testing the will of the House. On money resolutions, on Second Reading, in Committee and on Report, it is important that people outside know that the House has properly debated the issues and that a considerable number of Members have bothered to turn up to consider and vote for the Bills. However small or worthy a Bill, it is right that we should have a proper debate on its money resolution and hold the Executive to account. That is why we are here.

What worries me is that a convention has grown up in recent years—I do not blame this Government entirely—that private Members' Bills that entail the expenditure of public moneys can be introduced in the House. In the long term, large sums of public moneys may be involved. Previously, it was generally understood that the Executive—and not private Members—would introduce Bills that entailed the expenditure of public moneys. That is why we have our procedures for private Members' Bills. Now, year after year and month after month, private Members bring Bills to the House and the Executive have to step in to provide money for those Bills. I am not sure that that is the right way to proceed. If the Executive get involved, it is incumbent on them to provide a full explanation of what they are doing.

The resolution is framed in the usual format, but no information is given. We are completely in the dark as to what moneys will be expended on promoting the Bill. I do not blame the Government, because such motions have gone through Parliament in this form for many years, but we might have expected the Minister to explain the cost of the measure. That is not difficult. The Bill involves trading on one day—Christmas day occurs once a year—so we should have a fair idea of which stores are involved. Although the point made by my hon. Friend the Member for Lichfield (Mr. Fabricant) about the size of the stores caused some merriment, it was perfectly serious. It is not impossible for the Government to work out roughly and in broad terms what the Bill might cost. Is that an unreasonable question for Parliament to ask?

Will the Bill cost a few thousand pounds because it involves a few inspectors? Perhaps it will not be necessary for any inspectors to be on the road on Christmas day because, once the Bill comes into force, no large stores might want to take on the Government. Therefore, the costs might be absolutely minimal. Would it not have been easier for the Minister, in a few brief opening remarks, to have made that clear to the House?

The Minister could have said that it would be an easy Bill to administer and that he did not expect any extra expense to be incurred by local government or central Government, so the cost of the measure would be minimal. However, he provided no details at all. Alternatively, he might have said that the cost might be £100,000, £500,000 or £1 million—it would have been nice for Parliament to have been told.

Mr. Bercow: I wish to challenge my hon. Friend about the money resolution. Like my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), I regard the Bill as a miserable measure, despite the magnificence of its mother, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Will my hon. Friend help me to evaluate the money resolution by saying whether he thinks that the proceeds of fines levied under clause 1(3) will be ring-fenced to offset pound for pound and penny for penny the costs incurred elsewhere to the Exchequer?

Mr. Leigh: No, of course they will not. It would have been nice had the Government made that clear. I should be amazed if the proceeds were ring-fenced. Presumably, fines incurred on Sunday or Christmas day traders will go into the general Exchequer pot and be lost. Again, there is a lack of oversight. It is no good Ministers saying that the Bill is small and affects only one day so it is not important, because it is the principle that is at stake. Parliament has a right to demand further and better particulars.

Mr. David Davis (Haltemprice and Howden): Will my hon. Friend comment on the socialist heresy advanced by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who suggested that if the money from fines is ring-fenced—

Madam Deputy Speaker: Order. The right hon. Gentleman is an experienced Member. I am sure that it is an oversight not to face the Chair.

Mr. Davis: I beg your pardon, Madam Deputy Speaker, but I was shocked by the suggestion about ring-fencing

[Mr. Davis]

the fine money to finance the proposal. That would create a self-funding regulatory agency, of which we would disapprove, and would remove from Parliament the right of approval of such financial burdens.

Mr. Leigh: The gradual enlargement of the principle of ring fencing is regrettable. Many people in local government are alarmed—

Madam Deputy Speaker: Order. The hon. Gentleman is going wide of the motion, which is about additional costs to be incurred because of the Bill. It is not about ring fencing.

Mr. Leigh: I take your strictures, Madam Deputy Speaker. There will clearly be additional costs. All we want is to be given more information in this short debate.

The tenor of some remarks was that we are only talking about Christmas day. My hon. Friend the Member for Lichfield (Mr. Fabricant) made an interesting contribution from the perspective of a Jewish Member of Parliament. The Minister is a good Catholic Member of Parliament and views with great distaste people trading on Christmas day, but we live in a multicultural society and people might demand similar legislation for days that are as holy to their faiths. The costs could escalate. Where would it all end?

The House needs to be aware that we are not just talking about one day in the year and a limited cost. Pressure will undoubtedly be put on the House for other equally important holy days in the Muslim and Jewish faiths to get similar treatment. Why should Christians alone have the great privilege that if stores open on Christmas day, they must be closed down and the inspectors' costs sent to Parliament?

Mr. Redwood: Does my hon. Friend agree that any money that might be expended on enforcing the Bill—and the Minister needs to clarify how much will be spent—would be better used to provide more hospital operations over Christmas for people who are in agony and cannot wait any longer, rather than wasting it on inspectors in case an illicit Father Christmas is still trading a day after everyone else has stopped?

Mr. Leigh: My right hon. Friend makes a fair point. However, the strict guillotine procedure that is always imposed on us means that time is running out. In the remaining minute or so, perhaps the Minister will explain how much the measure will cost. That is all we want to know.

It being three quarters of an hour after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 52(1)(b) (Money resolutions and ways and means resolutions in connection with bills).*

Question agreed to.

Resolved,

That, for the purposes of any Act resulting from the Christmas Day (Trading) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums so payable under any other Act.

DELEGATED LEGISLATION

Madam Deputy Speaker (Mrs. Sylvia Heal): With permission, I shall put together motions 8 to 10.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT

That the draft Relevant Authorities (General Principles) Order 2001, which was laid before this House on 26th March, be approved.

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 79) on School Standards, Support of Educational Budgets and Costs of Transitional Funding (HC 355), which was laid before this House on 26th March, be approved.

CONSTITUTIONAL LAW

That the draft Scottish Parliament (Elections etc.) (Amendment) Order 2001, which was laid before this House on 27th March, be approved.—[*Mr. Clelland.*]

Question agreed to.

Motion made and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft Social Security (Breach of Community Order) Regulations 2001, which were laid before this House on 20th March, be approved.—[*Mr. Clelland.*]

Madam Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred till Wednesday 4 April, pursuant to Order [7 November 2000].

ADJOURNMENT (EASTER)

Motion made, and Question put forthwith, pursuant to Standing Order No. 25 (Periodic adjournments),

That this House, at its rising on Tuesday 10th April, do adjourn till Monday 23rd April.—[*Mr. Clelland.*]

Question agreed to.

Motorway Service Stations

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

11.45 pm

Mrs. Caroline Spelman (Meriden): I apologise, Madam Deputy Speaker, for giving you cause earlier to reprimand me for bringing work into the Chamber. Like the lame man who lay beside the pool at Bethesda and was anxious to reach the pool when the waters were disturbed, I was afraid that I might miss my Adjournment debate because I was not sure whether the preceding debates would take their full allotted time. Given the lateness of the hour, I was anxious not to miss the opportunity.

I want to put on record my gratitude to Mr. Speaker for calling the debate. I have tried on several occasions to obtain a debate on motorway service stations. The subject would have made a good Westminster Hall debate because several hon. Members have such service stations in their constituencies and others have experience of them. We could have held a wider debate on the subject.

A propos of that, I want to refer briefly to two contributions that I have received. First, the Royal Automobile Club Foundation pointed out that an Office of Fair Trading report on motorway service areas, published in December 2000, suggested that they provide poor value for money, and poor food and refreshments. I am sure that several hon. Members might have something to say about that.

Secondly, during last year's Easter holidays, the Automobile Association carried out an interesting survey of European motorway service stations. The United Kingdom's position is not good. Of the 10 UK service stations inspected, five were rated as acceptable, three as poor and two as very poor. Overall, UK service stations were rated as below average in Europe.

In that context, I want to consider a decision that relates to my constituency and directly affects that of my hon. Friend the Member for Solihull (Mr. Taylor), who is present tonight. He has campaigned hard with me to oppose the decision to allow the construction of a motorway service station in the Meriden gap. It is an interim decision, and until it is final, I assure the Government that we shall fight it tooth and nail.

For hon. Members who are present and not familiar with the location, and anyone who may read *Hansard* tomorrow morning, the Meriden gap is a narrow strip of green belt between Coventry and Birmingham. It is five miles wide at the point that we are discussing. In my maiden speech, I spoke about the need to protect the Meriden gap. Less than four years later, we are fighting hard to resist a development that my hon. Friend and I and our local authority implacably oppose. Solihull metropolitan borough council refused to grant planning permission for it as well as for two other developments in the same area. All my constituents oppose it; my postbag is flooded with protest mail from them.

I ask the Minister to extend an invitation on behalf of my constituents to the Secretary of State for the Environment, Transport and the Regions to examine the site. However, I stress that he should pick the right time of day. There is no point in travelling to the bridge over the M42 near junction 6 at an off-peak time. He should come with me in the rush hour to see the gridlocked traffic. There is nose-to-tail traffic in both directions. The Secretary of State should therefore reconsider the decision.

There are a variety of reasons for the severe congestion on that stretch of the M42. I am sure that hon. Members who have to use it are familiar with them. The service station is located south of junction 6, which carries all the traffic to Birmingham international airport and Birmingham international railway station. It is the junction with the A45 that serves Birmingham city centre and Coventry. Exhibitions at the National Exhibition Centre, for which the road is the exit, are seasonal causes of intense congestion. When the spring or autumn fair is on, that queue can stretch right back to junction 3 of the M42. Any hon. Member who uses the M6, which is notorious for its congestion, will know that any delay or heavy traffic on that road backs up to junctions 7 and 6 of the M42. We are talking about a highly congested stretch of motorway.

Hon. Members may also recall that not so many years ago, that location was the site of a terrible motorway pile-up, which is still alive in the memories of my constituents and those of my hon. Friend. None the less, the Government have chosen to justify their choice of location with reference to road safety.

The motorway service area policy statement says that the Government wish to concentrate on the completion of a network of motorway service areas at 30-mile intervals. Apparently,

"where there is a gap of greater than 30 miles between MSAs, it is necessary to give greater weight to the needs of motorists".

The Highway Code recommends that motorists stop to rest after two hours, so there is an inconsistency between the policy of having intervals of 30 miles—roughly half an hour—for motorists to take a break, and the two-hour interval recommended in the Highway Code.

It is also difficult to square the fact that motorists' interests are paramount with the Prime Minister's most recent assertions about his party's environmental credentials. He said that we need to put business, technology and environmental protection together. In this instance, however, environmental protection has been sacrificed in the interests of the motorist.

There are a number of contradictions in the decision made on the motorway service area application. The interim report says:

"The Secretary of State agrees that each of the proposed schemes"—

originally there were three—

"would cause harm to the openness of the Green Belt",

and that he also agrees that motorway service area developments on the proposed sites

"would have an urbanising effect".

There is a clear acknowledgement that the development would be detrimental to that section of green belt. There is a local site of special scientific interest, and also a problem with the water table. Indeed, a variety of environmental concerns are associated with choosing that site.

Mr. John M. Taylor (Solihull): My hon. Friend is making a thorough job of cataloguing the misery and anger of our constituents. Will she take account of one

[Mr. John M. Taylor]

other environmental factor? The fact that such an area will be lit all through the night means that some of our constituents will never again see the night sky from their homes. What a price is that to pay?

Mrs. Spelman: A very high price; light pollution is one of the hazards of the modern age. At our crossroads in the midlands we are prone to suffer that sort of erosion of our environment. My hon. Friend's constituents who live at Catherine-de-Barnes, the hamlet closest to the development, are very anxious about that aspect. There is no question but that there will be environmental harm; the decision is based on the idea that the benefits to the motorist outweigh that harm.

The Government considered some mitigating measures, but they involved providing auxiliary lanes for the motorway, and those, too, have an environmental impact. I am sure that all motorists are familiar with what happens to the traffic when, after a three-lane motorway has been widened to four lanes in one place, it goes back down to three lanes, as would happen to the M42: immediately, there is congestion.

The development has been proposed at a time when the widening of the motorway is under serious consideration as part of the west midlands multimodal traffic scheme, which has not yet been decided on. It therefore seems to me that any question of mitigating measures involving the widening of the motorway should wait for that regional decision to be made.

In the statement, the Secretary of State referred to the important question of setting precedents. He said:

"The Meriden gap is 10 km wide at this point and as the proposal is for an on-line facility"—

I am not quite sure what that means, but perhaps the Minister will enlighten us—

"which would be situated in relatively open countryside, it would clearly be perceived as a motorway related development and would not set a precedent for further development."

My response to that is, "Do not believe it." The fact that the Secretary of State is "minded" to grant planning permission for a motorway service area that might include provision for a lodge—a Travelodge with 66 lettable bedrooms—will unleash a deluge of applications for hotels in the green belt. Such developments have hitherto been strongly resisted at this point in the Meriden gap, and a number of developers who have had their planning applications in the green belt turned down are looking eagerly at this aspect of the decision.

The decision is being justified because it is thought

"unreasonable to deny motorists the opportunity to stop and rest".

I hate to disappoint the Secretary of State, but that hotel, if built in the Meriden gap, will be filled by people attending the NEC. A weary motorist might roll up at the service station in the hope of finding a bed for the night, but he would be most likely to find it fully booked by people attending an event at the NEC. Therefore, I do not think that that argument stands up at all.

Another important point is the footprint. The Secretary of State agreed with the inspector that

"as part of a Motorway Service Station, the lodge is inappropriate development in the Green Belt."

He also said:

"A lodge would add to the footprint of the built development and have some impact on the openness of the Green Belt."

The size of the footprint is very controversial in my constituency and that of my hon. Friend the Member for Solihull.

It is significant that, in July 1998, the Under-Secretary, Lord Whitty, made a statement about motorway service areas having a footprint of 5,000 sq ft as a limit, but it was unclear whether that should be taken as applying to the main amenity building or the MSA site as a whole. That has created a loophole for development, which has been exploited in the case of this decision. There is a warning in this case for other hon. Members who may be faced with a similar situation.

At the Catherine-de-Barnes site, the permitted area for a fuel sales building is 360 sq m—I am sorry to switch from imperial to metric measures—but that is in addition to 465 sq m of retail space. The 465 sq m of retail space marries up with the Under-Secretary's statement about 5,000 sq ft. However, unless I am much mistaken, there has been a terrible error here. In the case of Catherine-de-Barnes, the 465 sq m has been conceded, but, in addition to that, there will be an extra 360 sq m for a fuel sales building. Together, that makes 825 sq m, or 8,800 sq ft. That would seem to fly in the face of the limit that the Under-Secretary described, and we seek clarification on that important point.

I can anticipate what the Minister will say. He will say that the previous Government are to blame. They are not. Until 1992, the Department of Transport—as it then was—was responsible for promoting new motorway service areas. Its policy was to provide them at intervals of half an hour's driving time, or of about 30 miles, although when one is driving at 70 mph those figures have to be approximate. The important point is that the previous Government used discretion. A written answer on 24 November 1994 cited a letter from Lawrie Hayes to Sir David Mitchell, in which he stated that

"we recognise that there are stretches of motorway where either demand is unlikely ever to support MSAs . . . or where planning constraints will dictate a lesser frequency . . . we are prepared to be flexible."—[*Official Report*, 24 November 1994; Vol. 250, c. 262W.]

That is on the record. For the record:

"The Conservative Party has a policy of not building on the Green Belt at all and our Environment spokesmen have said they would call this decision in to look at it again. We need similar action, not just warm words from this Government."

In a debate in another place in 1992, the then Government spokesman said:

"Any proposal for a motorway service area will be subject to planning permission."—[*Official Report, House of Lords*, 24 November 1992; Vol. 540, c. 918.]

That is an important point. Planning permission was refused by the local authority—Solihull metropolitan borough council—and democratically elected local councillors who sit closest to the decision and know the environment best of all, but the Secretary of State has chosen to override that decision, ignore public opinion and back the developer—small wonder that my constituents doubt the Government's commitment to listening to the people.

I have another important point to raise with the Minister, which has been brought to my attention by the Council for the Protection of Rural England, whose representatives—

local people living in the constituencies that will be affected by the change—played an important part in the public inquiry. They say that the inspector's report gives the impression that the Highways Agency was fully represented and section 10 contains eight pages on "The case for the Highways Agency", but what happened was unsatisfactory. My hon. Friend the Member for Solihull and I attended the inquiry, so I can vouch for that.

Mr. John M. Taylor: We also gave evidence.

Mrs. Spelman: Indeed. The inspector allowed the Highways Agency to get away with submitting written statements rather than offering a witness who could have been cross-examined. The inspector's report relied heavily on the Highways Agency's views on motorway operational matters, but it gave no evidence that was open to cross-examination on need, the operation of the motorway system, signing or the M42 widening, which is needed to enable the Catherine-de-Barnes site to be developed.

Unless I am much mistaken, that was the first occasion on which the Nicholson principle was not obeyed. Under that principle, it should be possible for cross-examination on the main evidence to be conducted. That is an important point, because the opinion of the Highways Agency is crucial to the interim nature of the decision. As I understand it, its finality will hinge on whether the Highways Agency is satisfied about its agreement to widening the motorway at that point. Its non-appearance for cross-examination fundamentally undermines the value of the inquiry and its findings.

I strongly urge the Government to think again. The site that they have chosen for a motorway service area stands at the narrowest point of the Meriden gap. In the same segment of land, we find Birmingham international airport and the NEC—both public amenities of wider regional, national and international significance. What is needed is clear strategic planning for that vulnerable strip of land. It has suffered for too long from piecemeal planning decisions, such as those that collectively led to the erosion of the Meriden gap.

The projections for the expansion of air travel are bound to lead to pressure to expand such an amenity, yet the service station site would lie at the foot of any runway extension and it would be uncomfortably close to the flight path. That element was not discussed in any great detail at the inquiry, so I simply ask the Minister, is it wise to allow the development to be built in such proximity to the flight path?

To keep pace with international demand for exhibition sites, the NEC had to expand. Although I hated to see green belt consumed in such a way, I recognised that our NEC needed to remain competitive. However, that aspect has to be considered hand in hand with what happens to the transport network at that point in the midlands motorway crossroads.

My constituency contains pockets of deprivation with huge unemployment, but the motorway service station would be yet another employment opportunity plonked down in the countryside with no public transport available, so local residents would get all the hassle, but none of the benefit. Those are strategic issues and I appeal to the Government to stop and think: to try, like an eagle, to fly above the Meriden gap and look down at the airport, the NEC, the four-track widening of the west coast main line and the building of the Birmingham northern relief road; and to stop and, in strategic terms, think about whether it is really the right site. The development would stick out like a sore thumb in the green Arden pasture land, next to a gridlocked motorway. It would be a white elephant.

The dome stands as a monument to misplanning; let us not make the same mistake a second time. If the Government want to prove that they listen, if they want to claim their green credentials and if they want to demonstrate that they have strategic planning capability, let them please think again.

12.5 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I begin in the usual way, by congratulating the hon. Member for Meriden (Mrs. Spelman) on securing the debate and giving the House an opportunity to discuss current proposals for a motorway service area on the M42 in her constituency. I also listened with great interest to what was said by the hon. Member for Solihull (Mr. Taylor). In the limited time available, I shall try to deal with as many of the innumerable points that have been made as possible.

It may help if I first explain the Government's policy on the spacing of motorway service areas, as it is against that background that decisions on individual proposals are made. The most recent such advice took the form of a statement issued by my noble Friend Lord Whitty in July 1998. This is a subject on which Ministers in successive Administrations have given advice at intervals over the years, which has inevitably caused periodic changes of emphasis; but perhaps the most noticeable feature has been the consistency of the underlying approach.

Motorway service areas exist to fulfil a road safety function by offering motorists an opportunity to stop and rest. If they are to meet that need, they must be provided at regular intervals. Of course, it might be argued from the motorist's point of view that the more motorway service areas there are, the better: if they were available every five miles, a driver who wanted to take a break would never be more than about five minutes' drive from a motorway service area where he could do just that. Motorway service areas are large developments, however. They have to be, because to fulfil their road safety function they must be large enough to cater for all the motorists who want to visit them. As motorways run mostly through the countryside rather than towns, most service areas will of necessity be in rural areas. Motorway service area spacing policy is, therefore, about achieving a balance. On the one hand, we must provide adequate opportunities for drivers to stop and rest; on the other, we recognise the need to protect the countryside from excessive development.

The consistent view across all Governments has been that that balance could best be achieved by placing service areas at intervals of about 30 miles. On the assumption of normal motorway speeds, that meant that drivers had the chance to stop roughly every half hour. It also meant that the need for large developments in the countryside was reduced to the point at which such developments were genuinely exceptional cases. In other words, they might—I emphasise the word "might"—properly be regarded as exceptions to the presumption against development in the green belt.

[Mr. Keith Hill]

It has been suggested that my noble Friend's statement went further than earlier statements of Government views on motorway service areas spacing, and that it made inevitable the approval of at least one of the M42 proposals. If anything, the reverse is true. In fact, the statement emphasised that having a motorway service area every 30 miles was by no means an absolute requirement. It certainly stressed that the Government's prime concern would be completion of a network of 30-mile service areas where that had not already been achieved; but it also said, in so many words, that that did not amount to a presumption in favour of proposals that would contribute to completion of the 30-mile network. They would continue to be subject to the normal operation of the land use planning system. It is that system that allows for the merits of a particular proposal to be tested against other considerations, including those that the hon. Lady has raised.

Mrs. Spelman: Will the Minister give way?

Mr. Hill: I hope that the hon. Lady will forgive me if I do not. I have little time, and much to say. If there is an opportunity later, however, I shall certainly yield to her.

It is worth recording that one of the reasons for my noble Friend's statement was that the previous advice had encouraged the idea that 30-mile motorway service areas should be supplemented by in-fill sites at intervals of about 15 miles. My noble Friend was concerned that that approach had not achieved its avowed aim of increasing competition and choice. He therefore emphasised the Government's wish to concentrate on completing the 30-mile network. Far from encouraging additional motorway service area development, the statement moved towards an emphasis on providing them less frequently, but at locations where the need was especially acute.

The fact is that there are some significant gaps in the provision of motorway services on that part of the network, which a site in the Solihull area would fill. Examples cited in the decision letter included the gap of 49 miles between the existing services at Warwick and Hilton Park, and the gap of 68 miles between Warwick and the proposed services at junction 4 of the M54 near Telford.

I stress again that the existence of those gaps in the 30-mile motorway service area network did not mean that approval to one or other of the M42 proposals was a foregone conclusion. Both the inspector and my right hon. Friend the Secretary of State for the Environment, Transport and the Regions weighed that consideration against all the competing arguments, including the need to avoid development in the green belt in the Meriden gap, but they concluded that the needs of motorists were sufficient to overcome those and other objections. They did so only after very careful consideration of all the issues. I hope that the hon. Lady will understand if I explain that I cannot now seek to overturn that decision on the basis solely of the matters that we have been able to consider in the short time available to us tonight.

I hope that the hon. Lady will not think that I am unsympathetic to her concerns. I recognise the anxieties of her constituents. I particularly sympathise with the view that, if an area of open countryside and, more particularly, green belt is to be sacrificed in the interests of road safety, the scale of development should be the minimum that can sensibly be achieved.

I know that, with that in mind, the hon. Lady has been particularly concerned that a motorway service area at Catherine-de-Barnes might incorporate significant shopping and leisure facilities, which will quickly transform it from somewhere for motorists to take a necessary break into an out-of-town retail or leisure development in its own right. I share her concerns. That is why successive Governments have pursued a policy of preventing motorway service areas from becoming destinations in their own right.

It is reasonable enough that a motorway service area should incorporate a shop, and all, without exception, do so. Whether every single item that such shops offer is absolutely necessary in the course of a journey is perhaps a moot point, but little would be gained by having an army of Government inspectors policing the list of items on offer. Even if we were to do so, there would always be someone for whom a motorway service area was the most convenient place to buy a pint of milk at 3 am. Because we can never be absolutely sure that a service area will never be a destination, at least for a few people, we back the policy with a requirement that no more than 5,000 sq ft at any motorway service area should be devoted to retail uses, and no more than 1,000 sq ft to leisure use.

As I have said, the aim of the policy is to ensure that motorway service areas do not mushroom into vast out-of-town retail or leisure parks, contrary to wider Government planning and land use policies. I know that the hon. Lady has been concerned that the specific limits that have been placed on retail and leisure use at Catherine-de-Barnes are higher than those that I have quoted because they take no account of retail space within the fuel area. It is true that Lord Whitty's policy statement was not specific on that point. We will therefore want to consider the need for more detailed guidance on that in preparing a circular on motorway service area policy, which we expect to issue later this year.

It is very unlikely, however, that the amount of space given over to a sales area within the petrol filling station will ever make an appreciable difference to the total land take of a motorway service area, so although it is an issue that we will clearly need to consider further, I do not believe that it is so crucial in this case that it obliges us to revisit the decision that has already been taken.

The hon. Lady will be well aware that the decision letter that the Secretary of State issued on 6 March was an interim one. Permission for the Catherine-de-Barnes proposal was conditional on my right hon. Friend's being satisfied about the nature and effect of the associated highway works that would be required on the M42.

The works themselves are likely to be substantial. They will need to be, in order to address the safety issues that would arise from the increased weaving movements in the vicinity of the proposed service area. The Secretary of State has therefore indicated that he will take a final decision on the planning applications in the light of the outcome of continuing discussions between the developer

and the Highways Agency on the feasibility of additional lanes between the service area and junction 6 of the M42, as identified at the public inquiry.

The hon. Lady has raised a number of other issues. I will peruse *Hansard* and write to her on those matters. I am grateful to her for giving us the opportunity to debate what are important issues. I understand that the decision to give the go-ahead to the motorway service area at Catherine-de-Barnes, even if it is subject to further consideration of the implications of the associated highway works, is not the one for which she and many of her constituents had been hoping. However, I hope that I have been able to give her some reassurances; not least, I hope I have reassured her that Government policy on motorway service area spacing does take very seriously the need to balance the advantages to motorists of regular services against the need to avoid—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fifteen minutes past Twelve midnight.

House of Commons

Wednesday 4 April 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Foot and Mouth

1. **Miss Anne McIntosh** (Vale of York): What discussions he has had with the Minister for Agriculture, Fisheries and Food with regard to foot and mouth disease in Wales. [155491]

The Secretary of State for Wales (Mr. Paul Murphy): I maintain close contact with my right hon. Friend the Minister of Agriculture, Fisheries and Food. On Sunday, I visited Anglesey, Snowdonia and Welshpool with the First Minister and the Welsh Minister responsible for agriculture. Yesterday, I accompanied the Prime Minister on his visit to the operations centre in Cardiff, and to Monmouthshire, where he met representatives of the farming and tourism industries.

Miss McIntosh: I welcome that answer. The Secretary of State will be aware of the devastating effect that the outbreak is having in Wales on the farming community and on tourism. Is he aware of the concern that infected animals are being disposed of in areas that are not presently infected? Has he had discussions with the Welsh Minister responsible for agriculture to see what precautions can be taken?

Mr. Murphy: Yes, I have. This morning, I spoke with the Welsh Minister for Rural Affairs, Carwyn Jones, who is doing a first-class job. He is conscious, as we all are, of the problems of disposing of sheep and pig carcases in landfill sites. It is important for us to continue to seek solutions to these problems. We believe that we can overcome them by ensuring that the time from reporting a case to slaughter is no more than 24 hours. That is how we can control and eradicate the disease, and dependent on that is the disposal of carcases.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Is my right hon. Friend aware of the proposed large-scale dumping of carcases in a landfill site at Trecatti Dowlais in my constituency? Is he further aware of the long-standing environmental health concerns about that site? Will he confirm that a notice must be served by the Assembly Secretary before any such dumping can take place, and that no such notice has yet been served? In the light of the serious health and environmental concerns that are felt locally, will he convey to the Assembly Secretary the strength of feeling that he should not serve such a notice?

Mr. Murphy: I agree with my hon. Friend. His point follows on from the previous question and the significance of the disposal issues. This morning I talked with Carwyn Jones about Trecatti, and he tells me that there are no plans in the Assembly to use that tip for disposal. He agrees that it is for the Assembly to bring forward such an order. I shall certainly put to him the points that my hon. Friend has made, including the proposal of a meeting with the Assembly Minister.

Mr. Richard Livsey (Brecon and Radnorshire): Will the Secretary of State in future ensure that MPs, National Assembly Members and county council members are informed when a decision is taken at a high level on the location of a disposal site? I refer in particular to the Eppynt site in my constituency. On Friday night, I spent eight hours negotiating with the Agriculture Minister of the National Assembly to meet representatives on that site. The lack of communication with democratically elected people is lamentable. We knew nothing about the decision. That is a disgrace. Will he ensure that, in future, people are properly informed when something of this nature occurs, and that we are not left to pick up the pieces? [HON. MEMBERS: "Come on."] Does he agree with me—

Mr. Speaker: Order. I think that the Minister has got the message.

Mr. Murphy: Yes, Mr. Speaker, I think I have.

Of course it is important to ensure that democratically elected representatives of the people are informed of these matters, but the priority must be the eradication of the disease and the disposal of carcases after animals have been slaughtered. I understand the difficulties regarding that site, but it is important that we identify and use sites. It is enormously important to ensure that demonstrations are held peacefully. We cannot but abhor the violence that was used at that site over the weekend. People must understand the significance of identifying such sites if we are to stop this terrible disease.

Mr. Huw Edwards (Monmouth): I thank my right hon. Friend for coming to my constituency yesterday with the First Minister and my right hon. Friend the Prime Minister. The farming representatives who attended that meeting were impressed with the Prime Minister's command and concern. However, he heard from some of the farmers that there has been an unreasonable delay in the slaughter of animals on farms that are contiguous with farms where there has been an outbreak. There is particular concern about the Graig farm in Grosmont, where there has been a nine-day delay. Will my right hon. Friend look into that and give me an assurance that everyone will be able to work together to get a solution to this problem as soon as possible?

Mr. Murphy: I thank my hon. Friend for his remarks about the meeting that was held in Usk yesterday. It was highly successful, and the Prime Minister was there for an

hour and a half to two hours talking to representatives from the farming community and the tourism industry, especially from Monmouthshire. I accept the point that my hon. Friend made about contiguous farms. We are aiming for cases to be dealt with on such farms within 48 hours. Clearly, it is more important to ensure that the 24-hour cull is done first, and then the cull on contiguous farms.

As for my hon. Friend's constituency and local authority area, I am given to understand that an office is to be opened in the next day or two somewhere in the middle of Monmouthshire, to ensure that the co-ordination to which he referred takes place.

Mr. Ieuan Wyn Jones (Ynys Môn): Following his welcome visit to Anglesey on Sunday, the Secretary of State will be aware of the enormous concern felt by the tourism industry, whose takings are down by between 80 and 90 per cent. in Anglesey and Snowdonia.

Has the right hon. Gentleman seen the latest assessment by North Wales Tourism, which estimates that by the end of June the north Wales tourism industry will have lost £100 million? I am aware of the measures that have already been taken, but will the right hon. Gentleman, along with the First Minister, now seriously consider a loan scheme to help tourism operators through their cashflow crisis? If necessary, will he secure funds from the Treasury?

Mr. Murphy: I could not agree more with what the hon. Gentleman has said about the impact of the disease on rural Wales. It behoves us all to carry on saying that Wales is open for business; but there are particular problems in areas such as the hon. Gentleman's in Anglesey and, indeed, Snowdonia, which I visited not long after my visit to Anglesey.

The hon. Gentleman also mentioned small-business loans yesterday, in the Welsh Assembly. I shall give him the same answer as the First Minister's: such a scheme is under consideration, and we appreciate the points that he has made.

Mr. Jon Owen Jones (Cardiff, Central): Does my right hon. Friend agree that tourism is especially important as we approach Easter, and that we should do all that we can to promote it? My family and I will be seeing the unsurpassed beauty of west Wales at Easter. May I encourage others to visit the Welsh countryside, much of which is unaffected? We need to talk up the countryside, rather than constantly talking it down.

Mr. Murphy: I entirely agree. I would advise anyone to go to west Wales and see the great delights of that part of the country.

I remind the House that the public in Wales have been issued guidance on where they can go. They can visit towns, villages, seaside resorts, pubs, restaurants, cafés, shops, markets, churches, museums, art galleries and so on. There are plenty of places to visit in Wales, and we must encourage not just those from England and Scotland but those from other countries to visit them.

Mr. Nigel Evans (Ribble Valley): The Secretary of State is absolutely right. We must all do what we can to eradicate foot and mouth, which is having appalling consequences for agriculture and tourism in Wales. What discussions has the right hon. Gentleman had with local farmers and representatives of the National Farmers Union and the Farmers Union of Wales, who are concerned about the site at Eppynt? There has been little consultation about the site, which, as the right hon. Gentleman will know, is just a mile away from the Carmarthenshire border. Carmarthenshire and Pembrokeshire are clean areas with no foot and mouth, and people there are very concerned about the possible effect on their farming areas. Will the right hon. Gentleman ensure that proper consultation takes place, and that those concerns can be dealt with?

Mr. Murphy: Of course we must have proper consultation. The hon. Gentleman will know that representatives of the Sennybridge community were able to discuss their concerns with both the Prime Minister and the First Minister, but I am sure that he shares my belief that we must eradicate the disease as quickly as possible. That requires proper disposal sites, one of which is at Eppynt.

Mr. Evans: Tourism has been badly affected by foot and mouth. When will the Government produce an aid package—not a recovery package, but a survival package—for many of the small businesses throughout Wales that have suffered as a result of the crisis?

Today I spoke to Ashley Price, the owner of Dan-yr-Ogof caves, which have been open since 1912. They are the Welsh tourist board's visitor attraction of the year, and are among the world's best-known show caves. Visitor numbers have collapsed, and layoffs have already occurred. Ashley Price tells me that if no help comes within the next 10 weeks, the ventilators and pumps will be switched off and one of Wales's premier tourist attractions, which is of great historic interest and has survived two world wars, will be lost for ever. Will the Secretary of State ensure that a survival package for the tourism industry will be announced as soon as possible?

Mr. Murphy: Mr. Price was present at yesterday's meeting in Usk and made those points to the Prime Minister and to the rest of us. We understand that his case is not untypical; there are such cases throughout Wales. In the past couple of days, I have been to Anglesey, Welshpool and Monmouthshire, where people from the tourism industry were making precisely the points to which the hon. Gentleman has referred. He is aware that the National Assembly has announced a substantial package by way of rate relief and other help for rural areas. We are working on other matters, so that we can see how best to help those devastated rural communities.

Mr. Gareth Thomas (Clwyd, West): Given the effect that the foot and mouth crisis is having on Welsh tourism, can my right hon. Friend say what steps the Wales Office is taking to facilitate the reopening of footpaths?

Mr. Murphy: My hon. Friend will know that, yesterday, the Prime Minister met leaders of local authorities in Wales. He made the point to those leaders, who were of all parties, that it is important that, where it is safe to do so—that is the caveat—footpaths should be reopened. In large parts of Wales, it is safe for footpaths to be reopened. My office and the Assembly will work closely with local authorities to ensure that that is done.

Manufacturing Industry

2. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on manufacturing competitiveness in Wales. [155492]

7. **Ms Julie Morgan** (Cardiff, North): What discussions he has had with the First Secretary about plans to help manufacturing industry in Wales. [155498]

The Secretary of State for Wales (Mr. Paul Murphy): The Government are committed to improving manufacturing competitiveness throughout the United Kingdom by helping established industries to modernise and to compete in new global markets, by encouraging enterprise and by creating a stable economic climate.

Mr. Brady: The Engineering Employers Federation has warned that 150,000 manufacturing jobs will be lost in the next year. Is it not utterly irresponsible for the Government to pile yet more costs on to manufacturing businesses in Wales through the climate change levy?

Mr. Murphy: Manufacturing productivity, output and exports are all up. The record of the hon. Gentleman's party when it was in office contrasts badly with that. On the climate change levy, I have no doubt that it is the right thing to do, ensuring that we balance the way in which we deal with the climate and the environment in general, and the way in which businesses can play a responsible part in that.

Ms Morgan: Does my right hon. Friend agree that the real problem for manufacturing industry in Wales is the threat from low-wage economies, such as those of Hungary and Poland, where wages are at least a sixth of ours? Does he agree that the way ahead for Welsh manufacturing industry is to work closely with universities and institutions to develop cutting-edge technology? Federal Mogul on the Llanishen trading estates in my constituency has done that very thing.

Mr. Murphy: I could not agree more. My hon. Friend is aware that it is the Government's job to try to manage any change in the economy, and that many high-tech, knowledge-based companies are moving to Wales, bringing many jobs. That is how we must manage the economy in Wales—ensuring that, when jobs go, we replace them with other jobs.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): That may be what the Secretary of State says now, but does he realise that 20,000 manufacturing jobs have been lost since Labour took office? Referring to what the hon. Member for Cardiff, North (Ms Morgan) said, Welsh manufacturing is now so bad that it is at the bottom of the competitiveness league. It is on a par with that of Hungary, so what is the right hon. Gentleman doing? What representations is he making in Cabinet to stem the flow of jobs?

Mr. Murphy: Is the hon. Gentleman aware that there are 17,000 more jobs in Wales since this Government came to office? Hon. Members must understand that that figure is a real one. I represent a manufacturing constituency and I know that, when it loses jobs—for example, Corus may decide to shut down part of Llanwern—those jobs are being replaced very quickly by other jobs. On Friday this week, I am opening a factory in my constituency, where a total of 264 new high-tech jobs are being created for my constituents. That has been replicated time and again throughout Wales.

Mr. Llew Smith (Blaenau Gwent): The Secretary of State will be aware that the reasons given by Corus for closures and redundancies are financial. Will he comment, then, on its decision in the past few days to hand out 1.6 million share options worth £900,000 to four directors, and on the fact that the two former chief executives who were sacked, seemingly for incompetence, have been awarded redundancy payments in excess of £2 million? Can he imagine the anger felt in my community that the people who destroyed the industry are getting big handouts while those who built the industry and made it the most efficient in the world are getting the dole queue?

Mr. Murphy: I can imagine the feelings of the people in Blaenau Gwent, and Ebbw Vale in particular. I do not want to comment on the individuals, because that is a matter for the company, but it is also a matter for the company that if it goes ahead with its original plans, it will bring all the uncertainties and problems of redundancy to people in areas such as my hon. Friend's, who cannot overcome those problems unless they have alternative employment. It is still the Government's belief that Corus should take a long-term view of the steel industry, ensuring that jobs are kept and the industry continues to flourish.

Mr. Robert Walter (North Dorset): For some time, Conservative Members have been highlighting the damage being done to the competitiveness of the Welsh economy by the high value of the pound against the euro, by over-regulation, by stealth taxes and by the climate change levy.

If the thousands of job losses at Corus were not enough, month by month there is a stream of other job losses: 65 to go at Chubb Fire in the Rhondda; 61 at Honeywell in Treforest; 79 at Arkana in Caerphilly; 88 at General Electric in Nantgarw; and the complete closure of Takiron in Bedwas. Mr. John Spencer of Chubb Fire summed it up when he said:

"In light of increasing globalisation and overseas competition, the company has undertaken an in-depth study of its cost base."

Farming is in crisis in Wales; tourism is in crisis; and manufacturing is disappearing before our eyes. *[Interruption.]*

Mr. Speaker: Order. No one should be shouting at the hon. Gentleman.

Mr. Walter: Are the Government doing anything about this, or are they abdicating responsibility to the National Assembly and the Liberal Democrat leader in Cardiff?

Mr. Murphy: The hon. Gentleman gave us a list of companies that, unfortunately, have had problems surviving over the past few months. Let me give him a couple of alternatives: Ford in Bridgend, 640 jobs; Conduit in Cardiff, 500 jobs; small businesses in

Denbighshire, 490 new jobs; Halifax Card Services in Cardiff, 400 new jobs; Toyota in Deeside, 310 new jobs; and so on, and so on, and so on.

Economy (Deeside)

3. **Mr. Ben Chapman** (Wirral, South): When he last met the First Secretary to discuss the economy in Deeside. [155493]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson) *rose—[Interruption.]*

Mr. Speaker: Order. Mr. Donohoe, you shout so much it gives me a sore head.

Mr. Hanson: My right hon. Friend the Secretary of State and I meet the First Minister regularly to discuss a range of issues, including a variety of economic issues affecting Wales.

Mr. Chapman: Does my hon. Friend agree that the economic prospects for the people of Deeside—on both our sides of the river—are better than they have been for many years, not least because of low interest rates, low inflation and low unemployment, but also because of major investment coming on stream at, for example, BAE Systems in Broughton and at Toyota? Does he also agree that that would all be put at risk if we were to return to the days of paranoia about Europe; public spending cuts; tax promises made only to be broken; and boom and bust? Those are the policies that characterised the Conservative party's time in government.

Mr. Hanson: My hon. Friend makes some valid points. He will be aware that Toyota at Deeside has invested £100 million and created nearly 500 new jobs, and that BAE Systems at Deeside has created hundreds of new jobs—wings are made in Wales and other aircraft parts are made in Europe. That would certainly be affected by Conservative European policies. On both sides of the Dee, unemployment is down, and in my hon. Friend's constituency it has fallen by more than 700 since the general election. The Labour Government are working for Deeside on both sides of the river, and I support his efforts.

Mr. Simon Thomas (Ceredigion): What assessment has the Minister made of the impact on Deeside's economy of the unilateral decision by the Department of the Environment, Transport and the Regions to plant GM crops in Flintshire, which is one of three sites in Wales being used for that purpose? What impact will that decision have on Deeside's agriculture and economy? As the local Member and as a Minister, was he informed of the decision? If so, what was his response? What did he tell Assembly Members about the decision? Did he inform hon. Members of the decision?

Mr. Hanson: The hon. Gentleman will know that the sites were chosen on the basis of scientific advice from the scientific committee, SCIMAC—supply chain initiative on modified agricultural crops. There have been continuing discussions on those matters with the National Assembly and with Government colleagues. For the hon. Gentleman's information, Sealand is not in my constituency.

Mr. Barry Jones (Alyn and Deeside): Does my hon. Friend agree that, on Deeside, we need a very substantial steel spine to our manufacturing capability? With the loss of 319 steel jobs, what can the Wales Office do to ensure that redundant steel workers are given jobs at the nearby Airbus factory, where 1,700 new jobs are available? Does he think that the trainers are up to the job of training redundant steel workers to work in aerospace?

Mr. Hanson: In my right hon. Friend's 31 years in the House, he has been a strong supporter and has battled hard for steel and for aerospace. He will know that my right hon. Friend the President of the Board of Trade has indicated his willingness to approach the European Commission for help and support to re-train steel workers who may face redundancy. He will also know that, following the Labour Government's investment of more than £530 million, there are great and advancing job opportunities in British Aerospace, which I hope many of the steel workers facing potential redundancy will be able to take up in the near future. *[Interruption.]*

Mr. Speaker: Order. Before I call the next question, I call the House to come to order.

National Minimum Wage

4. **Mr. Chris Ruane** (Vale of Clwyd): What discussions he has had with the Chancellor of the Exchequer about the impact of the national minimum wage on income levels in Wales. [155495]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): I have regular discussions with a range of ministerial colleagues on various issues. The national minimum wage has contributed to a reduction in the pay gap between different parts of the United Kingdom. Latest figures from the Office for National Statistics show that, between April 1999 and April 2000, due to the minimum wage, average earnings in Wales increased by 4 per cent., compared with a national average of 2.3 per cent.

Mr. Ruane: I thank my hon. Friend for that answer. May I inform him that my constituents remember the bad old days under the Tories, when my constituents worked for as little as a pound an hour and all the chips they could eat? What measures have been taken to monitor the introduction of the minimum wage in Wales?

Mr. Hanson: My hon. Friend will be aware that 80,000 people in Wales have benefited from the minimum wage, which, as he knows, will increase to £4.10 from October 2001. Measures are in place to ensure that there is enforcement and that workers receive the minimum wage when companies renege on their responsibilities. I remind my hon. Friend and the House that the 80,000 people in Wales who are benefiting from the minimum wage would

not be doing so had Conservative Members been in office. Neither Conservative Members, the nationalists nor Liberal Democrat Members voted for the minimum wage.

Mr. Lembit Öpik (Montgomeryshire): Is the Minister aware that there is no minimum wage for farmers and many others who are affected by the foot and mouth crisis? I am sorry to say that that fact, coupled with general stress, may have caused a number of suicides in Wales. What assurance can the Minister give that there will be some type of minimum wage for those who are affected by the foot and mouth crisis? Will he also assure us that he is seriously considering possible support for the emotional well-being and mental health of those affected by the crisis?

Mr. Hanson: The hon. Gentleman will be aware that we very much sympathise with those people and are concerned about the level of farm incomes, particularly now. He will also know that the Government have invested heavily in support for a farmers helpline. However, it is a bit rich for Liberal Democrat Members to talk about a minimum wage. As I said, neither they, Conservative Members nor the nationalists voted for it in the first place.

Foot and Mouth

5. **Mrs. Betty Williams** (Conwy): What discussions he has had with ministerial colleagues and the First Secretary of the National Assembly for Wales regarding support for the non-livestock sectors of commerce and industry affected by the foot and mouth outbreak in the Conwy constituency. [155496]

The Secretary of State for Wales (Mr. Paul Murphy): I have regular discussions with ministerial colleagues and the First Minister. In the light of the current position on foot and mouth disease, support for the non-livestock sectors of commerce and industry have of course figured prominently in those discussions. As my hon. Friend knows, on Sunday I visited north Wales with the First Minister, where we met representatives of the tourism industry.

Mrs. Williams: Is my right hon. Friend aware that there is continuing concern about the limited access to the countryside and crags of north Wales? May I draw his attention to the circumstances of my constituent, Ric Potter? Like many others, he has had to travel to Scotland, where there is greater access. Will my right hon. Friend help us to enable people such as Ric Potter to find work in outdoor pursuits?

Mr. Murphy: As I told the House about 15 minutes ago, it is important that people understand that Wales is still open for business and that the Welsh countryside is not closed down. I know that my right hon. Friend the Prime Minister met local authority leaders in Wales yesterday, and I assure my hon. Friend that I shall do the same. I shall also meet the First Minister to ensure that the point that she has raised is addressed.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [155520] **Sir Archie Hamilton** (Epsom and Ewell): If he will list his official engagements for Wednesday 4 April.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Sir Archie Hamilton: As it is apparent that the epidemic of foot and mouth has been caused by the import of meat from abroad, why has no ban been placed on all meat from countries with foot and mouth? Why has the Prime Minister not more seriously restricted the illegal import of meat into this country?

The Prime Minister: There are strict rules that govern the import of meat. They are set by the European Union, and we abide by them. [HON. MEMBERS: "Ah."] They are exactly the same rules that applied when the Conservative party was in power. However, my right hon. Friend the Minister of Agriculture, Fisheries and Food has said that we will consider ensuring that those rules are tightly applied, and more strictly than at present. In addition, the whole issue of ensuring that the meat that comes into this country is disease free will be looked at. However, there are strict rules by which we must abide when changing any of the laws in this area because, of course, we trade with a lot of countries, too.

Q2. [155521] **Mr. Neil Turner** (Wigan): My constituency is looking forward to being one of the first to have a primary care trust, and £25 million has been invested in a state of the art walk-in facility in Wigan town centre. Does my right hon. Friend agree that that shows that the Government are prepared to invest in the NHS, with new matrons, and does not that contrast with 18 years of waffle, cuts and privatisation under the previous Government?

The Prime Minister: Some 2,000 matrons will be introduced as a result of the proposals made today by my right hon. Friend the Secretary of State for Health. That is in addition to the 17,000 extra nurses who have entered the national health service as a result of the investment that this Government have put in. The most important thing is to recognise that there is still a lot more to do in the national health service. That is why the record investment that we have put in place for the next few years has to be maintained, to ensure that we do not return to the policy of cuts and privatisation of the Conservative party.

Mr. William Hague (Richmond, Yorks): A huge effort is being made by people on the ground to overcome the foot and mouth crisis. We all hope that the disease—there are more than 1,000 reported cases as we speak—will soon be brought under control. The Prime Minister will know that the latest Government figures show that the

backlog of infected animals awaiting slaughter has reached 379,000. How many of those animals have been awaiting slaughter for more than a week?

The Prime Minister: Those figures include the animals awaiting slaughter, and animals that have been slaughtered but which have not yet been reported as having been slaughtered. Therefore, when both the slaughter and disposal figures come in, one has to recognise that they will be changed in the days ahead.

Perhaps it would help if I gave the House the very latest figure for the average daily rate of slaughtering. As I say, because the figures are being reported from different parts of the country by vets, soldiers and others, it takes some time to make sure that they are fully up to date. The latest figures show that, for the weekend of 25 March, on average 48,000 animals were slaughtered per day; for the weekend of 18 March the figure was 39,000, and for the weekend of 11 March it was 21,000. The rate is therefore increasing the whole time. The disposal figures will also be changed substantially, because they include animals that have been slaughtered but not yet disposed of.

Mr. Hague: We understand the difficulties about the figures, but the Government's figures showed that a week ago 280,000 animals were awaiting slaughter. We know that about 150,000 have been slaughtered since Monday night—there may have been additional numbers, as the right hon. Gentleman says—but it seems that tens of thousands of animals designated for slaughter a week ago still have not been slaughtered. Individual cases around the country also suggest that that is so. Is it not the case that until we further speed up the slaughter programme, we will not be able to stop the disease spreading, as it still is, to previously uninfected farms?

The Prime Minister: We have speeded up the slaughter programme enormously. In the two weeks between 11 March and 25 March, the rate more than doubled.

Let me give the disposal figures. For the weekend of 11 March, the average daily rate of disposal was 15,000. For the weekend of 18 March, the figure was 26,000, and for the weekend of 25 March, it was 40,000. The rate is increasing the entire time. As an example of how the figures change as fresh information comes in, on 28 March we gave the figure for animals awaiting slaughter as 215,000. The latest figures for that day suggest that the actual number was 167,000. It has been revised downwards substantially as a result of the fresh information that was received. That is the difficulty with citing daily figures. However, the figures for which precise information is available show that the rate of slaughter and disposal has dramatically increased in the past two weeks.

Mr. Hague: Nevertheless, individual cases remain, and I will write to the Prime Minister about many of them.

There is, of course, a deep crisis not only in farming but in tourism and rural business, whatever efforts we make—*[Interruption.]* Labour Members should reflect on the fact that nearly everything that we have proposed so far has had to be done, so it would be advisable for them to listen now. Many rural businesses are having problems, despite our efforts to tell people that there are many places in the countryside that they can visit responsibly. Two weeks ago, I proposed introducing an emergency loan scheme to provide urgent help to thousands of rural hotels, shops, tourist attractions, and so on. The Prime Minister said that he would consider that proposal carefully. Two weeks is quite a long time for people laid off from their job or business, with no income. Will the right hon. Gentleman now undertake to introduce that scheme, or something like it, before Easter is upon us?

The Prime Minister: Yes. In fact, I said that it was better to build on the existing small loans guarantee scheme rather than have an entirely new one. In the next couple of days my right hon. Friend the Secretary of State for Trade and Industry will announce details of how that scheme can be expanded and enhanced. That is in addition to the extra help that we are giving on rate relief and the holidays on tax and VAT where discretion can be exercised. However, the most important thing—I have discussed this in detail with representatives of the tourism industry right around the country—is to get business and tourists back into the countryside. I hope that the right hon. Gentleman will join me in urging county councils and local authorities that could reopen a substantial number of attractions and footpaths that do not go anywhere near farmland to do so. Opening up the countryside again and making people understand that that is happening is the best way in which to get tourists' business back into the countryside.

Mr. Hague: I certainly agree that there are many places in the countryside that people can visit responsibly, although the priority must be to prevent the spread of the disease and eradicate it.

I accept that the Government have agreed to rate relief in rural areas. However, is the Prime Minister aware that many hard-hit rural businesses in areas such as Staffordshire, which has a large number of foot and mouth cases, do not qualify for that relief because they are in the rural part of what has been designated an urban area? Will he look again at those cases? Should we not be doing other things to help businesses with their cash flow, such as allowing an earlier than usual reassessment of their tax payments and advancing refunds of VAT which would eventually be due to them anyway?

The Prime Minister: We are already considering that point. Again, let me give the House some facts. The survey by the British Tourist Authority of the United Kingdom's top 15,000 attractions and events shows that 80 per cent. of attractions are open and 91 per cent. of events are going ahead. Very large parts of the countryside in various parts of the country are reopening in the next few days in the run-up to Easter. It is tremendously important, therefore, to send out a clear message that the vast majority of things that people want to do in the countryside can be done. I hope that the right hon. Gentleman will join me in urging the local authorities—Labour and Conservative—which have the authority to do so to reopen footpaths that do not go through farmland. That is important.

As for the rest of the points that the right hon. Gentleman made in respect of the tourism industry, of course it is important that we do everything that we can

to help the industry, but the single most important thing that we can do is to encourage business back to the countryside.

Mr. Hague: Finally on foot and mouth, we agree with the Minister for the Environment that when this whole crisis is finally over, we will unquestionably need a full public inquiry. The inquiry into the 1967 outbreak concluded, among other things, that future Governments should respond immediately to any foot and mouth incident with slaughter on suspicion and on-farm burial within 24 hours rather than burning. Should not the first recommendation of the future inquiry be that Ministers of any party should read the recommendations of the last one?

The Prime Minister: As for the 1967 outbreak, it may just be worth giving the House the facts again. On average, there were something like 13,000 slaughterings a week during that outbreak. The average now is well over 100,000. So the idea that somehow we have not taken the action necessary is simply wrong. Of course the lessons of that outbreak have been learned, but this is an entirely different type of outbreak, for the reasons that I have given. There was a multiplicity of movements of sheep for two to three weeks before the disease was ever detected and reported. That has inevitably made it harder to deal with. I hope that the right hon. Gentleman will join me in paying tribute to the work not just of the Army, which has been superb, but of local officials, civil servants, vets and others, who have done a fantastic job in difficult circumstances in defeating the disease.

Q3. [155522] **Mr. Dennis Skinner** (Bolsover): When drawing up the next manifesto, will the Prime Minister look at the possibility of ensuring that workers in this country are not sacked more easily than those on the continent and elsewhere? Now that Railtrack shares are at an all-time low, we could get it back for a song. When we have had our glorious victory, will my right hon. Friend ask the Army to take overall control of the Tory party and run its leadership cull?

The Prime Minister: I am tempted just to say yes.

In respect of information and consultation, of course it is important that our work force have the rights that they deserve. That is one of the reasons why we introduced the fairness at work proposals and, for the first time, the right to trade union representation.

In respect of Railtrack, I believe that the programme outlined by my right hon. Friend the Deputy Prime Minister is the right way forward. In respect of the Army, I yield to no one in my admiration for it, but some logistical tasks, I fear, are beyond it.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I have to say that I agree with that thought. May I bring the Prime Minister's attention back to the difficulties of agriculture and the related industries? Council chiefs in Cumbria have been saying on the airwaves at lunchtime today that, in many cases, the bureaucracy and length of time involved in processing the applications for reimbursement, support, consequential loss and so on are such that it might be up to six months before they can see cases through. Too many jobs and businesses in tourism and related activities will have been lost by then. Is there anything that the Prime Minister can do to speed the process up?

The Prime Minister: In respect of compensation for farmers, there are two different issues. There is the compensation for the animals that are actually slaughtered; we are trying to ensure that the payments get through as quickly as possible—hopefully within days, if not weeks. Secondly, in respect of the Intervention Board and animal welfare, there has been a programme vastly bigger than anything previously anticipated. We are looking—now—at how we can speed up applications and get that done quickly.

In respect of tourism, of course, some of our proposals are in the hands of local authorities themselves—especially in relation to rate relief and so on. I held a meeting with local authorities yesterday. We are happy to look at any proposals they make to remove unnecessary bureaucracy from that system. However, I repeat—as I said to the right hon. Member for Richmond, Yorks (Mr. Hague) a short time ago—that I also hope that local authorities help us in making sure that we give a proper view of what is happening in the countryside.

Mr. Kennedy: Would the Prime Minister also acknowledge that it is important for the House to send a proper signal to those businesses and those parts of our national community that are so severely affected? Does it send the proper signal for the House of Commons to introduce a Bill today that actually proposes giving financial compensation to potential council candidates when such compensation is not yet readily available to those being so affected by the present crisis? Should not we rethink that aspect of the legislation?

The Prime Minister: If we were not helping local authorities with additional expenditure, I have no doubt that the right hon. Gentleman would put to me the fact that they were having to cut back on services because of extra spending, so I do not agree with him on that.

On compensation, we are getting it through to people as quickly as we possibly can, but—as I hope he agrees—the single, most important thing for the tourism industry is that we send out the clear message that it is open for business, that the vast bulk of tourist attractions are open and that there is plenty for people to do in the countryside. We need that message to go out—not just from the Government Benches but from the Opposition Benches and local authorities as well.

John Robertson (Glasgow, Anniesland): Does my right hon. Friend agree that the media coverage does Britain no favours and that the Opposition should be talking Britain up, not down?

The Prime Minister: It is important, while recognising the deep seriousness of the situation, that we at least give a proper sense of perspective; for example, even now, the number of slaughtered animals is less than 1 per cent. of the livestock of the country. It may help if I give the House the latest livestock sales in the normal course of business: 91 per cent. of pork sales are back to normal and for beef, the figure is about 78 per cent. Lamb is still down—at 40 per cent. However, that points to the fact that there is an awful lot of normal trade. When I am

going around the country, I find the desire on the part of both the farming and the tourism industries not only to emphasise the urgent and needy plight of those who are most affected by this disease, but to get the message across that vast parts of the country—still the vast majority—are not affected by foot and mouth disease. There are areas where there have been sporadic cases—as I saw for myself in Essex a short time ago—but over time, in the next few weeks, those areas should be able to move to a different status as the disease is cleared. Obviously, we must bear down in those areas where the disease is most rife. It is important to recognise that a proper sense of perspective is important not only for the tourism industry but for the farming industry.

Q4. [155523] **Mr. Eric Forth** (Bromley and Chislehurst): Ever since the outbreak of foot and mouth, the Prime Minister has repeatedly warned of the devastating effects on the British tourism industry of the postponement of elections. Since the Prime Minister's last-minute panic conversion to the call of my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) for elections to be postponed, what estimate has the Prime Minister made of the financial impact on the British tourism industry of that postponement?

The Prime Minister: I do not know whether we have just heard a swift policy reversal. The Conservatives should make up their mind as to whether they are saying we were right to delay the elections, or wrong. The truth is that to delay them a short time is—in my view—a perfectly proper balance between the interests of setting up proper mechanisms to deal with the disease and the alternative proposed by the right hon. Member for Richmond, Yorks (Mr. Hague)—an indefinite delay of the democratic process—which may appeal to the Conservative party but is not in the national interest.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): The Prime Minister will be aware, from the letter that I have sent to him, of the murder in Moscow, on 26 September 1999, of Christopher Rees, a British journalist working for an American television company called Story First. Christopher's mother, Mrs. Jane Rees, is a constituent of mine. Will the Prime Minister please raise her son's case with the appropriate Russian authorities to ensure that progress is made in investigating that crime, as Mrs. Rees is concerned that little effort has been made by those authorities to find the culprit and prosecute?

The Prime Minister: I am certainly aware of the case of Mr. Rees. I will look into it for my hon. Friend, and I will be in touch with her about how we shall raise it with the Russian authorities in the appropriate way.

Q5. [155524] **Mrs. Cheryl Gillan** (Chesham and Amersham): Does the Prime Minister agree with me—[HON. MEMBERS: "No"]—that the first person who should be advised of his decisions on election dates is Her Majesty the Queen?

The Prime Minister: Yes, and I am sure that she will be.

Q6. [155525] **Mr. Bill Michie** (Sheffield, Heeley): In respect of the Kyoto protocol, may I ask my right hon. Friend the Prime Minister whether he will impress, as strongly as possible, on the President of the United States that the world is not owned by the United States, but is the property of every living soul on this planet? Will he remind him that the future of this planet does not rest with big business and profit, but with principled planning? Will he also remind him that anyone who has the power that the United States has has equal responsibility to mankind?

The Prime Minister: As my hon. Friend probably knows, this country has made its position clear. We continue to believe that the Kyoto protocol provides the best framework to deal with climate change, which is a problem that affects rich and poor countries alike. It is of vital importance to the future of the world that we deal with that and the reduction of CO_2 emissions. We obviously want to hear the views and ideas of the new Administration as to how we reduce those emissions, but for our own part, as I have said before, we think that the Kyoto protocol is the right way forward. I have no doubt at all that there will be intensive negotiations on that in the run-up to the next round of talks in July, and I hope that we can find agreement on a way forward.

Q7. [155526] **Mr. David Prior** (North Norfolk): Is the Prime Minister aware that some 1.5 million animals, which do not have foot and mouth disease, are awaiting slaughter under the welfare to slaughter scheme and that many of those animals are suffering appalling welfare conditions, with little grazing and no shelter? When will that dreadful backlog be cleared?

The Prime Minister: That is exactly the point that I was making a moment or two ago. Obviously, the Intervention Board has had to deal with a vastly different range and number of cases than it ever anticipated. Of course, as the hon. Gentleman will know, we have greatly increased the payments under the animal welfare scheme, so it is far more generous than the scheme in place before, but we are working to ensure that we clear the backlog of applications to the Intervention Board. We will do that as soon as we possibly can, although our first priority must be to ensure that we carry out the containment by slaughter policy.

Q8. [155527] **Mr. Colin Pickthall** (West Lancashire): Does my right hon. Friend agree that the country faces no more serious long-term problem than the degradation of our environment? Does he agree that the crazed policies coming from the White House are not our only difficulty? More parochially, people do not want an incinerator, a tip, a telecom mast and certainly not floods in their neighbourhood. Does he agree, however, that we cannot control such things unless every single citizen in this country recognises his or her responsibility—for example, to minimise the use of non-renewable fuels and to recycle? Therefore, does he not agree that his next Government must lead a crusade on our environment? After all, as someone once said, if the Labour party is not a crusade, it is nothing.

The Prime Minister: First, we have now set a target for recycling at least 25 per cent. of household waste by 2005 and we have set councils statutory targets to double recycling by 2003–04 and to triple it by 2005–06. In addition, we have committed almost £160 million of

new opportunities fund money for a programme of environmental renewal and community regeneration. I agree with my hon. Friend. There is a vast reservoir of good intention among members of the public to help in that process and, by putting in the lead investment, we hope to be able to mobilise that to improve the situation for the local environment in every part of the country.

Sir Michael Spicer (West Worcestershire): When will we have a proper and publicly announced decision on vaccination against foot and mouth?

The Prime Minister: As I explained to the House about 10 days ago—in fact, I think that it was even before that—vaccination is an option. We have put in place all the contingency planning necessary for it in certain circumstances, but there are also difficulties with vaccination. In the past 10 days, the number of new cases has, at present—we should not read too much into this—flattened out and we have to see whether that trend is maintained. In those circumstances, we continue to have vaccination as an option, but we need and want to see whether the containment by slaughter policy achieves the objectives desired.

I would also point out to the hon. Gentleman and to other Conservative Members shouting out for vaccination that there is a huge—at the very least—division of opinion within the farming community. The policy will be difficult to put in place unless the farming community agrees to it. Vaccination remains an option if the containment by slaughter policy does not work, and we are keeping it under review. We have all the contingency planning necessary to implement it, but, at present, we believe that it is right to see the present policy working.

Q9. [155528] **Ms Linda Perham** (Ilford, North): Does my right hon. Friend the Prime Minister welcome the setting up a few weeks ago of a group to advise the Government on age issues in preparation for tackling age discrimination? What other measures do the Government have in place to make a real improvement to the lives of people over 50?

The Prime Minister: That is an important part of the Government's programme. We set up the age advisory group to advise the Government on the issues in respect of that, but I think that the important thing is that any legislation builds on what are many good practices in different parts of the country. Those need to be brought together so that we are able to ensure that there is an end to age discrimination in employment, which is not just wrong but counter-productive. Vast numbers of—let us say—more elderly people of working age are in the population and they perform an excellent task for their employers. They are often undervalued, and I hope very much that my hon. Friend will see in the announcements that we make in the weeks ahead that the very issues that she has raised are properly dealt with.

Rev. Ian Paisley (North Antrim): Would the Prime Minister remind himself that, before each sitting of the House, prayer is offered to the God of heaven and earth? Would he also remind himself that, in days of crisis in this nation, the one who held his office advised the monarch from time to time to call a national day of prayer? Does he not feel that, in the present crisis, the nation should express its desire to have our nation healed, and that the way to have it healed is to call upon the sovereign God of heaven?

The Prime Minister: I am sure that the nation will pray in its own way for what the hon. Gentleman says. I do not know whether it is right for Government to impose that, but I am sure that, according to their own conscience and faith, people will pray for the objectives that he has set out.

Q10. [155529] **Mr. Ben Chapman** (Wirral, South): Does my right hon. Friend agree that, while we greatly welcome the massive investment that is going into school buildings and facilities, we also have an enormously dedicated and skilled teaching profession? Will he join me in paying tribute to that profession in the Wirral and elsewhere and welcome the figures published today of a 24 per cent. increase in teacher training applicants since last year?

The Prime Minister: I am delighted to give the House the figures on that. There are now more than 5,000 more applicants this year than at the same time last year. Maths applications are up 20 per cent.; science applications are up 36 per cent.; modern language applications are up 17 per cent.; and technology applications are up 89 per cent. In addition, well over 11,000 schools up and down the country have benefited from new deal money. The two things that we can be sure of are that, if the Conservative party were elected, it would scrap the new deal money so that investment would go and that it is opposed to the additional investment in teachers. For both those reasons, I am sure that people in my hon. Friend's constituency and elsewhere would prefer education to be in the charge of this Government.

Q11. [155530] **Mrs. Teresa Gorman** (Billericay): Now that matron is coming back to sort out the chaos in our hospitals, will the Prime Minister consider bringing back the cane to sort out the chaos in our schools?

The Prime Minister: I thought at first that we were going to get a job application. As for the hon. Lady's question, I am afraid that I cannot agree with her. However, I am sure that she will agree that the one thing the national health service needs is extra investment, which we will continue to provide.

Points of Order

3.30 pm

Mr. Owen Paterson (North Shropshire): On a point of order, Mr. Speaker. Before the Prime Minister stretches every sinew to escape, has he or the Minister of Agriculture, Fisheries and Food asked to make a statement on the policy of transporting carcases that might be infected from an area such as Herefordshire to a clean area such as Tern Hill in my constituency?

Mr. Speaker: No.

Mr. Patrick Nicholls (Teignbridge): On a point of order, Mr. Speaker. You may recall that every day this week I have had to raise as a point of order my complete inability to persuade the Minister of Agriculture, Fisheries and Food to write to me outlining the circumstances in which a landfill site is being used in my constituency for the burial of carcases. It is difficult to say the same thing in a different way every time, but if Ministers will not answer letters from hon. Members and simply reply to every question that might cause them difficulty with the formula "I will write to the hon. Member", it makes it impossible for us to discharge our function. Do you know of any precedent that sets out when the occupant of the Chair has to intervene in such matters, or do you have to listen to me saying the same thing in a different way every day until Parliament is dissolved?

Mr. Speaker: The hon. Gentleman raises an issue that is not a matter for Chair.

Mr. Roger Gale (North Thanet): On a point of order, Mr. Speaker. My understanding is that a decision has been taken that the national census will go ahead on 27 April. Have you received a request from any Minister to tell the House what precautions will be taken to ensure that those taking the census do not spread foot and mouth disease?

Mr. Speaker: I have received nothing from Ministers on that matter.

Mr. Derek Twigg (Halton): On a point of order, Mr. Speaker. Will it be in order for me to table amendments to the Elections Bill to ask for all by-elections to be cancelled up to 3 May, including the Carlisle by-election which is due to take place on 19 April and is being fought by the agent of the right hon. Member for Penrith and The Border (Mr. Maclean)?

Mr. Speaker: We have to see the amendment before we can make a decision. It is as simple as that.

Street Works

3.33 pm

Ms Julia Drown (South Swindon): I beg to move,

That leave be given to bring in a Bill to amend the law in relation to cable companies and other undertakers of street works.

The Bill sets out to ensure that there is better co-ordination of the work that is carried out by cable companies and utilities. My constituents tell me that it is needed. They find it incredible that one company can dig up a road one week, disrupting an entire area, only to find that two weeks later a different company digs up the road all over again.

Legislation has put in place a number of measures to minimise the disruption caused by such street works. The New Roads and Street Works Act 1991 provides that operators have to notify highway authorities with a minimum of one month's notice in advance of any major work or work to be carried out on sensitive streets, as defined by the local authority. The problem with the 1991 Act is that although it gives local authorities the duty to co-ordinate excavations of the public highway, they do not have sufficient powers to do so.

Correspondence on the issue with Ministers shows that they are aware of the problems and know that certain communities in the west and south-west have been particularly badly affected by new telecommunications installations. The Labour Government have recently introduced fines of up to £2,000 a day for companies if their road works are overdue, which is welcome, but the Bill seeks to minimise disruption further by ensuring there is proper co-ordination of street works. We expect new regulations later this year, and I hope that they will take on board the proposals in my Bill.

Currently, all local authorities hold quarterly meetings and invite operators to them to discuss a schedule of works. Too often, however, operators do not attend; if they do, they often do not provide accurate information. One authority told me that many companies send it nil returns for meetings, then proceed to send notices for large schemes that should have been on the co-ordination schedule. That has led to understandable frustration among road users in many parts of South Swindon, including parts of the town centre, Freshbrook, Liddington, Wanborough and Wroughton. Those frustrations have been expressed clearly to me by constituents and parish councils covering those and other areas. A classic case occurred last summer, when our local paper, the *Evening Advertiser*, reported that Manchester road, which houses our bus station and so has significant traffic flow, was dug up by one cable company; when it finished, another company started 10 days later. That cannot be a sensible way of proceeding.

There have been so many companies on the nearby stretch of road between Whale bridge and Fleming way that there is no room left, and there is now an embargo on the road. That raises the question of whether the number of companies, of which there are more than 300 nationally—so far, we have seen only about 20 of them locally— is ultimately sustainable.

There are some examples of good practice. Last July, Swindon borough council held talks with Cable and Wireless and Colt Telecom and an agreement was made that the two companies would share roadworks for their cable laying. But that good example is not common.

My Bill would make that good example more of the norm. It would make it a requirement for any company wishing to undertake major roadworks or any work on a sensitive street to attend the quarterly meeting of the authority. The local authority would then have a right to delay roadworks by up to a month or to bring them forward by up to two months to co-ordinate works. The authority could insist that companies share ducts and working arrangements. Colleagues may be concerned that that will delay consumers getting services and I recognise that telecoms companies have to respond quickly to consumer demand. However, with proper planning, there should be no significant delay and consumer demands have to be weighed against the inconvenience, misery to road users and business and social time that are lost as a result of disruption. Recent research by the Transport Research Laboratory has put the cost of roadworks to Britain's economy at more than £2 billion a year, including traffic delays, damage to road surfaces and accidents; the lack of co-ordination is costing the nation huge sums.

I do not want to leave this opportunity without recognising that co-ordination is not the only problem with roadworks; my constituents raise questions with me about the quality of the some roadworks and the safety precautions taken for the staff and public at the works. Better regulations are needed to ensure that local authorities are properly reimbursed for the work that they undertake. At the moment, some council taxpayers subsidise cable companies for their work and that should be corrected.

I hope that all those issues will be addressed in Government guidance and existing regulation, but the greatest frustration of unnecessary misery on the roads could be put right through the measures in my Bill. I want to stress that it is not about increasing regulation, but about changing it. I therefore propose that there should be new sections 60 and 64 in the 1991 Act, and that sections 54, 55 and 56 should be deleted. So five existing clauses would become two and, more importantly, we would achieve a much better result for the public.

Finally, in a bid to stop anyone saying that the Bill should not have a Second Reading because ten-minute Bills rarely reach the statute book, may I note and thank the many hon. Members of all parties who have expressed support for it, and tell the House that my first ten-minute Bill achieved success when its recommendation was adopted by the Government in the Homes Bill. I hope that the sensible improvement for road users proposed in this Bill will, in the same fashion, be adopted by the Government so that road users will not be unnecessarily disrupted in the future.

Question put and agreed to.

Bill ordered to be brought in by Ms Julia Drown, Valerie Davey, Mr. David Drew, Dr. Jenny Tonge, Mr. Andrew George, Ms Candy Atherton, Mr. Martin Salter, Ms Tess Kingham, Mr. Simon Thomas, Jane Griffiths, Mr. Jonathan Shaw and Mr. Tom Brake

STREET WORKS

Ms Julia Drown accordingly presented a Bill to amend the law in relation to cable companies and other undertakers of street works: And the same was read the First time; and ordered to be read a Second time on Friday 27 April, and to be printed [Bill 82].

Elections Bill and Election Publications Bill *[Lords]* (Allocation of Time)

Mr. Speaker: I should inform the House that I have selected amendment (a), which stands in the name of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), in paragraph 1(1), after "on Second Reading," to leave out

"in Committee and on consideration and Third Reading".

3.41 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move,

That the following provisions shall apply to the proceedings on the Elections Bill and the Election Publications Bill *[Lords]*—

Timing of proceedings on the Elections Bill

1.—(1) On the Elections Bill, proceedings on Second Reading, in Committee and on Consideration and Third Reading shall be completed at today's sitting.

(2) Proceedings on Second Reading and in Committee shall, if not previously concluded, be brought to a conclusion at nine o'clock.

(3) Proceedings on Consideration and Third Reading shall, if not previously concluded, be brought to a conclusion at ten o'clock.

2.—(1) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put;

(b) proceedings on the Bill shall stand postponed while the Question is put, in accordance with Standing Order No. 52(1) (Money resolutions and ways and means resolutions in connection with bills), on any financial resolution relating to the Bill;

(c) on the conclusion of proceedings on any financial resolution relating to the Bill, proceedings on the Bill shall be resumed and the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(2) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Timing of proceedings on the Election Publications Bill [Lords]

3.—(1) On the Election Publications Bill *[Lords]*, proceedings on Second Reading, in Committee and on Consideration and Third Reading shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion at eleven o'clock.

(2) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put; and

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Questions to be put

4.—(1) This paragraph applies for the purpose of bringing any proceedings on either Bill to a conclusion in accordance with paragraph 1 or 3.

(2) The Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion for a new Clause or new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, or under sub-paragraph (2)(d) in relation to successive provisions of the Bill, the Chairman or Speaker shall instead put a single Question in relation to those amendments, Motions or provisions.

Consideration of Lords Amendments to the Elections Bill

5.—(1) Any Lords Amendments to the Elections Bill shall be considered forthwith without any Question being put.

(2) Proceedings on Consideration of Lords Amendments shall be brought to a conclusion, if not previously concluded, one hour after their commencement.

6.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 5.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) a single Question on any further Amendments of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown and relevant to the Lords Amendment.

Subsequent stages of the Elections Bill

7.—(1) Any further Message from the Lords on the Elections Bill shall be considered forthwith without any Question being put.

(2) Proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

8.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 7.

(2) The Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee for the Elections Bill

9.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons in relation to the Elections Bill and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (3) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair but not yet decided, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

Subsequent stages of the Election Publications Bill [Lords]

10.—(1) Any Message (or further Message) from the Lords on the Election Publications Bill *[Lords]* shall be considered forthwith without any Question being put.

(2) Proceedings on any Message (or further Message) from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

11.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 10.

(2) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee for the Election Publications Bill [Lords]

12.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons in relation to the Election Publications Bill *[Lords]* and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (3) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair but not yet decided, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

Miscellaneous

13.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to seven o'clock; but

(b) proceedings to which this Order applies have begun before then.

(2) Proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

14.—(1) No Motion shall be made to alter the order in which any proceedings on either of the Bills are taken.

(2) No dilatory Motion with respect to, or in the course of, proceedings to which this Order applies shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

(3) No debate shall be permitted on any Motion to recommit either of the Bills (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment.

15. Standing Order No. 82 (Business Committee) shall not apply to this Order.

16.—(1) The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith.

(2) Standing Order No. 15(1) (Exempted business) shall apply to any proceedings to which this Order applies.

(3) If the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order.

17. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

Those who are experts in the number of guillotine motions that have been before the House since the war—those who are not experts are recommended to read the research document available, as ever, in the Library—will know that it is not unusual for a single allocation of time motion to be moved in respect of two Bills. However, the circumstances of this allocation of time motion are unusual, although they are not unprecedented.

Most allocation of time motions arise because of the Government's difficulties in getting a normal Bill through all its proceedings, owing to problems in securing the Opposition's co-operation. That is a timeless verity, and it is true regardless of which party fills the Treasury Benches. *[Interruption.]* The right hon. Member for Maidstone and The Weald (Miss Widdecombe) says from a sedentary position, "Oh yes, quite routine." It was routine for guillotine motions to be moved in the 1980s, and some of us remember those.

Miss Ann Widdecombe (Maidstone and The Weald): Fewer than three.

Mr. Straw: No, there were not fewer than three guillotine motions in the 1980s. The number of guillotine motions is principally a function of the way in which an Opposition behave. There were a large number of guillotine motions in the 1980s, because the then Opposition, of whom I was a Front-Bench member, decided that they were not willing to co-operate in sensible informal understandings about the timetabling of motions. For reasons that I fully understood, although I sometimes vociferously disagreed with them at the time, the Government therefore decided, rightly, that they were entitled to get their business through, and tabled guillotine motions accordingly.

There were far fewer guillotine motions in the latter part of the 1992 to 1997 Parliament, because by that stage, after 15, 16 or 17 years in opposition, the Labour party had learned a lesson—that it made a great deal more sense to spend time debating the heart of a Bill, agreeing sensible timetables, ensuring that they could be delivered by effective internal party discipline, and then getting out to campaign.

Mr. Eric Forth (Bromley and Chislehurst) *rose—*

Mr. Straw: I shall give way in a moment.

That strategy was far more impressive. The hon. Member for Buckingham (Mr. Bercow) shakes his head, but if he studies the facts, he will see that to have been the case. He will also see that, at greater length than I propose to do so today, I have offered gratuitous but, I hope, welcome advice to the Opposition in their current predicament. It would be against my interests for them to accept that advice, but it is available to them.

Mr. Forth *rose—*

Mr. Straw: I shall give way to the right hon. Gentleman in a moment. I always do.

Two of the guillotine motions during our time in opposition were ones with which we agreed. Those included the Prevention of Terrorism (Additional Powers) Act 1996, which passed through all its stages during Easter 1996.

Mr. Forth: Does the Home Secretary's research tell him how many guillotines were introduced during the glorious period of Conservative Government to ensure that Bills passed through all their stages within one hour? Does he not recognise that the Government's introduction of such a requirement is not only extraordinary and exceptional, but is an insult to our parliamentary process? What is the precedent for their actions?

Mr. Straw: I could while away the time, but I draw the right hon. Gentleman's attention to the precedent that was set only a few days ago in the other place, where, without timetabling, every single stage of the Bill's consideration was completed in 24 minutes. That was achieved because the Bill was agreed in terms by the three main parties and because the Government had introduced it at their request. If the Opposition in this House were capable of even a modicum of the discipline that is possible in the other place, a guillotine motion would not be needed. The right hon. Gentleman wears a badge of honour. His party is so deeply divided that it is absolutely impossible for its leader or Whips ever to gain the agreement of their Back Benchers, and he knows it, as he

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[Mr. Straw]

is one of the rebels. Indeed, he is one of the many Opposition Back Benchers who hold their Front-Bench colleagues in almost utter and undisguised contempt, and who will lose almost no opportunity to embarrass them.

Miss Widdecombe: After that long diatribe, will the Home Secretary please answer the question that was asked by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)? When have any Government taken a Bill through Second Reading, Committee, Report and Third Reading in 60 minutes flat?

Mr. Straw: I have just answered the right hon. Lady's question by referring to the other place, which recognised that the Bill was agreed on. It is widely known that the other place usually takes rather longer to complete such deliberations, as it has no guillotine arrangements. However, as it was understood that the Bill had been agreed on because it sought to remedy—

Mr. Forth: On a point of order, Mr. Speaker. Will you confirm that, in your wisdom, you have selected two amendments for discussion in relation to this Bill whose consideration will be limited to one hour? As the Home Secretary is seeking to misinform us, it would be helpful to know that that is the case and that the amendments are relevant.

Mr. Speaker: The amendments to which the right hon. Gentleman refers will be considered in Committee. I did not select them for consideration; they were selected by the Chairman of Ways and Means.

Mr. Straw: Let me deal with the reasons for introducing the Bill, after which—*[Interruption.]*

Mr. Speaker: Order. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) is bad tempered today—very bad tempered indeed.

Mr. Straw: The right hon. Lady is bad tempered every day, Mr. Speaker, but we all get used to it. It is a bit like the weather. Life would not be the same without her sedentary mutterings, for which we have come to show so much affection.

Rev. Ian Paisley (North Antrim): The Home Secretary said that the Bill was passed in the other place by agreement, but I understand that there was opposition. The speeches made by the former leader of the Ulster Unionist party could not in any way be said to have commended the Bill. In this House, can smaller parties from Northern Ireland now take it that we are not considered at all? We did not receive the Elections Bill in good time, and we have received apologies for that, which we have accepted. How is three-way agreement achieved when the main part of that Bill, which we will discuss today, is to do with Northern Ireland? Surely representatives from Northern Ireland should have been properly consulted and given time for proper debate.

Mr. Straw: With respect, I was talking about the second Bill, the Election Publications Bill, because I had been led on to that subject. I shall return later to the main Bill before the House, to which more time has been allocated, although I accept that the time is limited. In that Bill, by far the greatest number of words is related to Northern Ireland, and of course I will take any interventions from the hon. Gentleman in respect of that.

Mr. John Bercow (Buckingham): Will the Home Secretary give way?

Mr. Straw: If the hon. Gentleman will allow me to proceed on the Election Publications Bill, I will take an intervention later.

The publications Bill is a short, three-clause Bill that has been introduced following representations from all three main parties. All parties have many thousands of prospective candidates throughout the country and are likely to be in the same difficulty regarding the new imprint requirements, and we need to regularise the position as soon as possible. The fact that local elections are to be postponed for five weeks does not alter the need to proceed expeditiously. I have already explained that last week the other place took 23 minutes to give the Bill a Second Reading, and the remaining stages were taken in two minutes flat.

I want to deal with the suggestion made last week by the hon. Member for Tiverton and Honiton (Mrs. Browning), the shadow Leader of the House, and now by the right hon. Member for Maidstone and The Weald, that the need for the Bill has arisen because of flawed drafting in the original Bill. That is not the case. The original Bill was the subject of considerable discussion by the parties. There was then further consultation with the parties about the commencement order, which could have made effectively the same provisions as this Bill: a phased introduction of the new sections and the continuation for a period of the existing section 110 of the Representation of the People Act 1983. I consulted all the parties, and none of them noticed—neither did I, but I am in good company—that the consequence of the commencement order was to place every potential candidate in a situation where any material that had been printed but not formally published in advance of the new sections coming into force could technically have put them, their agents and, possibly, their printers at risk of criminal proceedings. Obviously, that was unacceptable.

Discussions rapidly took place between the parties in a different atmosphere from the one that the hon. Member for Tiverton and Honiton has tried to generate. We agreed not that the new Bill would repeal those words but that it would provide for them to be phased in in a different way and that the original section 110 would be deemed to have taken effect. *[Interruption.]* It has to be deemed so to be enforced. It is not the first time that such words have been used in amending the law and it will not be the last. We reinstated section 110 and suspended the operation of the new Act and there will be further consultation about bringing the provisions into force after the forthcoming elections.

Mrs. Angela Browning (Tiverton and Honiton): Before the beginning of the Second Reading of the publications Bill, will the Home Secretary place in the Library the documentation appertaining to the consultation that he says he carried out? I am aware that on 4 November 1999, a senior Home Office official

consulted about matters to do with the hiring of hackney carriages, committee rooms and planned changes to election law petitions, but there was no mention of the imprint in that consultation. On 17 January 2000, the same official wrote to 100 registered parties to say that the Home Office

aim to issue regular bulletins to registered parties on the Bill's progress."

No such progress has been the subject of consultation with any political party.

Mr. Straw: I shall do my best to comply with the hon. Lady's—

Mr. Douglas Hogg (Sleaford and North Hykeham): Will the right hon. Gentleman give way?

Mr. Straw: Allow me to finish my answer to the shadow Leader of the House. I shall do my best to comply—

Mr. Hogg *rose—*

Mr. Straw: No, I shall not give way to the right hon. and learned Gentleman until I have dealt with his hon. Friend's question. He should show more manners than he usually does in debates.

I shall do my best to comply with the hon. Lady's request, and if we cannot get the documents, I shall ask my hon. Friend the Under-Secretary to give her a more detailed response. My clear recollection is that the parties were consulted about the bringing into force of parts of that Act, and we consulted about the orders. In any case, I shall get back to the hon. Lady about that.

Mr. Patrick McLoughlin (West Derbyshire): Will the Home Secretary tell the House how the new wording "promoting of a candidate" helps to enhance the electorate's understanding of the documents? What was wrong with the old wording "printed and published by"?

Mr. Straw: Some people may say that there was nothing particularly wrong with the old wording. It was put to the House that we should make it clearer on whose behalf—*[Interruption.]* I shall give the hon. Gentleman an explanation if he wants one, otherwise I shall not bother to take interventions and we shall just plough on. It is quite straightforward.

The formula "printed and published" has been used for locally produced publicity for decades, and works satisfactorily. In material printed and published on behalf of a candidate, it is obvious who the candidate is. The new provisions aim to deal with two problems. First, in material published on behalf of third parties, it is not always obvious on whose behalf it is published. The material may attack a candidate, or it may ask people to vote for candidates who support one proposition rather than another. The second matter, which was not dealt with under the Representation of the People Act 1983, concerns nationally produced material.

Mr. Speaker: Order. We are now going into the detail of the Bill rather than the allocation of time.

Mr. Straw: The timetable motion is necessary because we have had to amend the original provisions in the Political Parties, Elections and Referendums Act 2000. Furthermore, in the past there have been no requirements in respect of material produced nationally. Now that we have a regime for expenditure, it is important that we know on what that expenditure has been based.

Mr. Hogg *rose—*

Mr. Dominic Grieve (Beaconsfield) *rose—*

Mr. Straw: In view of your strictures, Mr. Speaker, I shall make some progress, and then accept a few more interventions. As ever, I have taken a large number of interventions.

Mr. Hogg: Will the right hon. Gentleman give way on this point?

Mr. Straw: No, I shall not give way. I shall come back to that matter later.

As Conservative Members are concerned about precedents, I have been told that in 1989 the Gaming (Amendment) Bill went through Second Reading and remaining stages without debate.

Mr. Forth: Was there a guillotine?

Mr. Straw: There was almost certainly not a guillotine, because there were not people like the right hon. Gentleman.

Mr. Hogg: What about Bob Cryer?

Mr. Straw: Bob Cryer was an infinitely better parliamentarian than the right hon. Member for Bromley and Chislehurst (Mr. Forth). As I remember, at the time the right hon. Gentleman had taken the Queen's shilling and with that a Trappist vow of silence to obey the Whips, so we did not have anarchist interventions from him.

Mr. Bercow *rose—*

Mr. Blunt *rose—*

Mr. Straw: I shall now make some progress, because other hon. Members want to speak.

I took representations on the new provisions that have been brought into force. I can tell the hon. Member for Tiverton and Honiton that letters were sent to a variety of people consulting them on the orders. A letter dated 12 December 2000 was sent to Mr. Stephen Gilbert in the Conservative party and to equivalent people in other parties. *[Interruption.]* I gather from the hon. Member for Buckingham Mr. Bercow that he is a great man, so at least we know he exists and that some people have a high opinion of him. That makes it even more odd that he was not able to impart that information to the shadow Leader of the House. Anyway, I had representations about the effects of the proposals.

At this point, I must declare an interest. At about the time when representations were being made by the national parties, I was going through my cellar and my attic in Blackburn, and came across a large stock of posters, some dating back to the 1980s.

Mr. Hogg: We shall be looking at your election expenses!

Mr. Straw: No, that will all be taken into account.

[Mr. Straw]

The posters bore messages such as "We back Jack", "Get Jack back" and "Let's back Jack". They have always worked in the past, and I look forward to their working in the future. We have been careful never to put a time or a date on the out-slips. We have not gone quite so far as going to collect them back—*[Interruption.]* They do in other parts of Lancashire, according to my Parliamentary Private Secretary, who I am pleased to see is with us again. I thought it ridiculous, however, for us to be prevented from using such messages by a technicality. I am sorry that the arrangements were introduced in the way that they were; I did not spot the error and neither did my officials, but nor, it must be said, did the other parties.

Mr. Hogg *rose—*

Mr. Bercow *rose—*

Mr. Straw: I shall give way to the hon. Member for Buckingham, as he has been straining at the leash.

Mr. Bercow: The Home Secretary's tutorial on succinct slogans for deployment in Blackburn is doubtless very illuminating, but I am rather more concerned about the deplorable way in which he has rewritten history. Is he unaware that—to name but one example—my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has emphasised several times that when he was a Minister in the last Government, he did not even consider talking to either the Leader of the House or the Government Chief Whip about the possibility of a guillotine motion until debate on the Bill for which he was responsible had lasted for at least 100 hours?

Mr. Straw: I think it was 80 hours, but we can argue about that. There was a convention, but it was sometimes left in abeyance when the Conservatives were in power. Moreover—I have a list here—it was extremely rare, certainly after my right hon. Friend the current Prime Minister had become Leader of the Opposition, for any Bill to be guillotined. That was because the Opposition changed the way in which they behaved.

There was no necessity for the right hon. Member for Penrith and The Border to consult the Leader of the House or anyone else about a guillotine when I was shadow Home Secretary, because, with two exceptions, the welter of Home Office legislation contained no Bills that we forced to a guillotine. We sensibly agreed a timetable, in a much shorter time than 80 hours.

Yes, we had our disagreements about Bills. Some were very strong disagreements; in other cases we may have agreed with the overall purpose of the Bill, but disagreed with parts of it. We got on with things and did the business, however, and we represented our constituents better than we would have done by keeping ourselves here until the small hours and making life incomprehensible to the voters. The two exceptions that I mentioned were the guillotine on the Bill that became the Prevention of Terrorism (Additional Powers) Act 1996, which I agreed to because I was supporting the then Home Secretary—others may have thought that those powers were not necessary—and the guillotine on what became the Firearms (Amendment) (No. 2) Act 1997, which was introduced in the wake of the massacre at Dunblane. We supported that Bill, although we did not think that it went far enough. My recollection is that the guillotine was introduced very quickly, well in advance of the 80-hours rule. The concern was that the Bill would be disrupted by people who did not want firearms controls.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I confess that I am now totally bewildered. We are discussing a timetable on the Elections Bill. May I enter a little caveat? I disagree with everything that the right hon. Member for Bromley and Chislehurst (Mr. Forth) says, but in this instance he has a point. It is terribly important that the House of Commons should not rush through legislation without being clear what it is doing. Does my right hon. Friend accept that some of the Bills that he has mentioned, particularly that on prevention of terrorism, are clear examples of what happens when this House accepts legislation in one day? It then has to spend considerable time amending it.

Mr. Straw: I accept that it will be far better—it makes for much better debate, too—if there can be agreements between the parties. It is sometimes necessary—on this occasion, it is palpably necessary—for there to be a timetable motion. Sometimes, timetable motions are short, but agreement between the parties requires that the parties themselves are able to maintain some discipline. We were not in that position in the 1980s. We were in that position in the 1990s. I regret to say—although, in the end, it is their problem, not ours—that the current Opposition are not in that position.

Mr. Hogg: Will the Home Secretary give way?

Mr. Straw: I promise to give way to the right hon. and learned Gentleman in a few minutes, after I have had made some further progress.

I come to the reason for the timetable on the Elections Bill. The case for the Elections Bill was made at some length, as was, to some extent, the case against it, so far as one could understand it, during the exchanges on my statement on Monday. When I looked at *Hansard*, I noticed that the right hon. Member for Maidstone and The Weald went on for twice as long as I had in my original statement and it still was not particularly clear what exactly she was saying.

Although there is argument about the date to which the elections should be deferred—the Opposition say that they should be deferred without date and we say, as I believe do the Liberal Democrats, that they should be deferred until 7 June—there is no argument between the main parties that they should be deferred from 3 May. That being the case, they must be deferred very quickly. Otherwise, the electoral process will simply continue. It has to. Money has to continue to be spent unless and until the Bill is passed by the House and by the other place.

On Monday, I went into detail—I will go into further detail on Second Reading—to explain why we believe that it is inappropriate in terms not only of the process of elections, tourism and other factors, but of the conduct of local councils and their ability to represent their electors, to defer the elections for any significant time past 7 June. There is an argument about whether the date should be 7, 14 or 21 June. That is a choice, but it was plain to me when

I was explaining the matter in the House on Monday that many Opposition Members simply had not worked out what the consequences would be of an indefinite deferral of local elections. In making the case for the urgent timetable motion, I will briefly spell that out.

If the elections are deferred indefinitely, one of two consequences will follow. One is that all by-elections will be deferred indefinitely. If that happens, with increasing frequency, existing members of councils, who I am sure will be willing to serve for an extra five weeks, but who were to have resigned on 3 May, or were not seeking renomination on 3 May, will resign because they have decided—or their party has decided on their behalf—not to serve for a further term. As I explained to the House, at each election—it is a surprisingly high figure—there is a turnover of about a quarter of councillors. They go. Therefore, over the coming months, we would find that 10, 15 or 20 per cent. of councillors had resigned. Sadly, some vacancies result from deaths.

As vacancies arose, for inevitable reasons, such as illness and death, the control of councils would start to shift as the balance changed randomly between Conservatives and Liberal Democrats, or Conservatives and independents, simply because of resignations and deaths and not through the decision of the electorate. That must be wrong and would cause chaos in the administration of councils.

The alternative would be to continue to allow by-elections to take place, but we would then have a stream of by-elections, which have to be called within 35 days of a vacancy arising and to take place within 25 working days of that declaration—there is little of the flexibility that we have in respect of parliamentary by-elections—in the very rural areas where the disruption caused by foot and mouth is at its greatest.

If that course—logically and administratively, the better course—were followed, the weekly or bi-weekly by-elections in Cumbria and Devon would be more disruptive to rural life there and to the focus on foot and mouth than having a single day for the local elections, as we are proposing.

Mr. Hogg: I apologise for taking the Home Secretary back to what he was saying earlier on the Election Publications Bill and why the errors were made. Does that not illustrate why it would be helpful if we resorted more often to Special Standing Committees, allowing evidence to be taken and problems to come to light before a Bill is considered in detail?

Mr. Straw: As a health warning and caveat to my remarks, let me say that these are matters for my right hon. Friend the Leader of the House, but personally I think that there is a lot in what the right hon. and learned Gentleman says. He will forgive me if I remind him that in opposition we used to argue for Special Standing Committees, and one was used for the Children Act 1989—

Mr. Hogg: No, it was—

Mr. Speaker: Order. I remind the right hon. and learned Gentleman that he must be quiet when he is seated.

Mr. Hogg: I am sorry, Mr. Speaker. You are absolutely right. I was trying to correct the Home Secretary, but you are right.

Mr. Speaker: I am always right.

Mr. Hogg: May I say how pleased I am to know that?

Mr. Straw: I am sometimes wrong, and the right hon. and learned Gentleman may be right that it was not the Children Act but a special education measure on which we had a Special Standing Committee. Leaving that aside, I introduced a Special Standing Committee for the Immigration and Asylum Act 1999, and it was the better for it, so I accept that point.

Mr. Dale Campbell-Savours (Workington): It would be a very useful development if a Cabinet Minister such as my right hon. Friend gave an undertaking to the House that in future all Bills from his Department would be treated under that procedure. Once one Cabinet Minister took that decision in principle, others would follow. It is not only a matter for the Leader of the House.

Mr. Straw *rose—*

Mr. Speaker: Order. How we treat Bills is nothing to do with the allocation of time motion. We must restrict ourselves to that.

Mr. Straw: In the light of what you have said, Mr. Speaker, I will have to talk to my hon. Friend in the Tea Room.

Mr. Lembit Öpik (Montgomeryshire): I am concerned that we will not have time to reach clause 2, which relates to Northern Ireland. Is the Home Secretary confident that we will be able to have a proper debate on Northern Ireland, because some issues need to be discussed that make us nervous about the potential change of date?

Mr. Straw: I accept the concern of the hon. Gentleman, who is the Liberal Democrat spokesman on Northern Ireland matters. I have also had representations from my hon. Friend the Under-Secretary of State for Northern Ireland on the provisions as they affect Northern Ireland. My hon. Friend the Under-Secretary of State will deal with those matters when he replies.

I have explained the case for both Bills—with a bit of luck, to the satisfaction of both sides of the House—[HON. MEMBERS: "No."] Opposition Members have been shot down in flames by their request for a precedent. The Gaming (Amendment) Act is a great precedent. The fact that it was not guillotined is neither here nor there; it was passed. My guess is that that legislation was far more significant to far more people than the Election Publications Bill will ever be, as it will affect only the small minority of those who are candidates or agents for elections. That is the precedent.

Mr. Crispin Blunt (Reigate): Will the right hon. Gentleman give way?

Mr. Straw: No, I will not.

I should also add that, in the other place, the official representatives of the other parties were happy to co-operate in the consideration of the Election Publications Bill.

[Mr. Straw]

The Elections Bill will defer the date of the elections. As I said, there is widespread agreement on both sides of the House that they have to be deferred. Although there is disagreement on the date to which they should be deferred, that does not affect the need for urgency. What does affect the need for urgency is the fact that, if we do not produce certainty and ensure that everyone is given the legal certainty that 3 May is no longer the date for the elections and that another date has been inserted, we will simply waste a great deal of money and the time of local government staff, candidates, agents and their helpers.

For those reasons—although I understand the concerns about guillotine motions and I do not like introducing them—I hope that the House will accept my arguments.

4.17 pm

Miss Ann Widdecombe (Maidstone and The Weald): I have to say that, even for the Home Secretary, that speech was preposterous. The last time he moved a guillotine motion, he concluded his speech by saying:

"I look forward to the embraces and kisses of the Opposition."—[*Official Report*, 29 November 2000; Vol. 357, c. 994.]

Mr. Hogg: Of you, Ann.

Miss Widdecombe: Well, he said the Opposition.

The right hon. Gentleman received neither embraces nor kisses on that occasion, and he will certainly not receive any from Opposition Members today. There is no justification whatsoever for what can be described only as an outrageous and absurd guillotine motion, tabled by the Home Secretary and the Leader of the House. The motion will hinder the interests of democracy and of our constituents, who send us here to hold the Government to account and to ensure that the laws passed by Parliament are in good order, well thought through and properly scrutinised.

It is only a couple of weeks since three Members of the Conservative Whips Office and I were sufficiently incensed by the lack of true accountability by the Government to try to bring the issue to wider public attention. Today, we have two more justifications for that sit-in.

Later, in one hour flat, we shall put a Bill through all its stages in the House—a Bill that would never have been necessary if the House had been allowed to scrutinise the original Bill properly. The amendment that it seeks to correct was never put to the House for debate and was introduced at a late stage in the other place. Yet, undeterred by having created such a mess that an emergency Bill is now necessary, the Government still push it through without any attempt at serious scrutiny.

I challenge the right hon. Gentleman—I have challenged him before and I challenge him again—to tell me of any other occasion, under any Government, when a Bill on the constitution was taken through Second Reading, Committee, Report and Third Reading in 60 minutes flat at the behest of a Government on an imposed guillotine.

Mr. Hogg: Not only that, but the Bill was published yesterday without any pre-publication discussion or consultation.

Miss Widdecombe: My right hon. and learned Friend is right: that only makes the situation vastly worse.

Does the Home Secretary acknowledge that he is insulting this House and the British people? They are being governed by tranches of law that have never been debated by the House, much less voted on.

Mr. Forth: The matter is even worse than my right hon. Friend suggests. As it happens, an amendment that I tabled to the Elections Publications Bill has been selected. It was known to have been selected, yet the Government tabled this vicious guillotine, allocating one hour for all stages, in the knowledge that the Chairman of Ways and Means had selected an amendment. Since then, another amendment tabled in the name of an hon. Member from another party has been selected. Does not that compound the matter beyond all endurance?

Miss Widdecombe: It certainly does. Large numbers of amendments to both Bills will not be debated tonight. We have already seen the consequence of such an approach. We would not have had to debate the Election Publications Bill today if there had been proper scrutiny of the original Bill.

I remind the Home Secretary of his words to the House on 4 April last year, of which today's debate may be considered to be the anniversary:

"It is in the nature of Home Office Bills, particularly constitutional ones, that they are subject to amendment. That is an important part of the process."—[*Official Report*, 4 April 2000; Vol. 347, c.928.]

On 29 November last year, the Home Secretary said:

"I thank individual Opposition Members as much as my right hon. and hon. Friends for the way in which every Bill in which I have been involved has been improved as a result of the parliamentary process."—[*Official Report*, 29 November 2000; Vol. 357, c. 987.]

Yet it is that important part of the constitutional process, which has resulted in the improvement of every Bill with which the Home Secretary has been involved, that the right hon. Gentleman is dispensing with this evening.

What is the justification for the guillotine motion? It is not as though the Opposition are trying to delay or frustrate the Elections Bill. As I made clear in response to the Home Secretary's statement on Monday afternoon, the Opposition welcome the fact that the Government have decided—albeit belatedly—to provide for a postponement of the local elections, which were due to take place on 3 May. Indeed, it was the Opposition who first called, more than two weeks ago, for such a measure to be introduced.

The Election Publications Bill is also the subject of cross-party consensus, as the Home Secretary has acknowledged, and as he knows full well. There is not a shred of evidence to support the contention that, without a guillotine, the Opposition would attempt to delay or frustrate the Bill, yet these days the House cannot expect much more from a Home Secretary and a Leader of the House who had the audacity only a few weeks ago to deem that the Committee stage of a major Bill had been completed, despite the fact that more than half its text had never been considered.

So what is the real reason for the motion? The House, and especially my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), will recall the attitude of Labour Members during the Committee stage of the Political Parties, Elections and Referendums Bill—and of one Labour Member in

particular. During that Committee, which also sat on the Floor of the House, my right hon. and learned Friend, together with my hon. Friend the Member for South Staffordshire (Sir P. Cormack), who at the time graced the Opposition Front Bench, made some extremely powerful points about the Government's proposals on referendum rules. The Under–Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), refused to respond to the debate. In justification, he said:

"Hon. Members in all parts of the House will understand that some hon. Members want to go home. One can understand that."—[*Official Report*, 16 February 2001; Vol. 344, c. 1071.]

The Minister made those remarks at midnight. One can therefore understand perfectly well why the guillotine motion will cut short debate this evening at 11 pm: Labour Members will want to go home, rather than stay here and ensure that the legislation being considered by the House, which goes to the very heart of our democracy, is in good order.

The right hon. Gentleman is again moving a guillotine motion on constitutional legislation, which shows exactly what the Government think about both these important constitutional measures and about the need for consensus and agreement on them.

What happened to the right hon. Gentleman? He said in February 1995:

"You can only move for constitutional change by consensus, by consent, and you've got to get these things right."

When the House considers the Elections Publications Bill later tonight, right hon. and hon. Members will see exactly how the right hon. Gentleman failed to get things right in the Political Parties, Elections and Referendums Act 2000. I know that my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) will have more to say on that subject when the time comes.

The guillotine motion means that the House will have very little time, if any, in which to consider the important amendments that have been tabled on a range of crucial electoral issues. Indeed, when the Government amendments are made in Committee and the House proceeds to consideration on Report, the farcical procedure that applied to the Football (Disorder) Bill in the previous Session will apply again. *[Interruption.]*

Mr. Speaker: Order. The right hon. Member for North–West Durham (Ms Armstrong) must be calm. *[Interruption.]* Order. The right hon. Lady will withdraw that remark. *[Interruption.]* Order. The right hon. Lady will get to her feet and withdraw that remark.

The Minister for Local Government and the Regions (Ms Hilary Armstrong): I was simply saying— *[Interruption.]*

Mr. Speaker: Order. I heard the right hon. Lady talk about misleading the House.

Ms Armstrong: I said that I was concerned that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) was not going to mislead the House. I withdraw everything.

Miss Widdecombe: Does the Home Secretary recall the proceedings on the Football (Disorder) Bill, when the House was forced to consider amendments on Report that had not been printed to a Bill that had not been reprinted? Furthermore, although my hon. Friend the Member for Woking (Mr. Malins) wanted to retable his Committee amendments, which had not been discussed in Committee because of the guillotine, he was not able to do so because in waiting to discuss them in Committee he missed the deadline for Report.

I described the procedure as a farce, and that is exactly what it was. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) commented:

"The House has been asked to consider amendments on Report to a Bill that was not even before us simply because it had not been printed as amended in Committee. People who had not been here would not have been able to follow debate on the Bill that we were amending, and those of us who were here all day have found it difficult to follow the implications of each and every amendment.—[*Official Report*, 17 July 2000; Vol. 354, c. 176.]

Even the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), said:

"I am acutely aware of criticisms about the time taken to address the Bill and consider its various aspects."—[*Official Report*, 17 July 2000; Vol. 354, c. 173.]

Yet, despite that experience and the Minister's comments, the guillotine motion before the House today takes no account of those criticisms and no account of the experience on that Bill.

Rev. Ian Paisley: One of the Bills before us contains a reference to schedule 1 of the Elections (Northern Ireland) Act 2001. There is no such Act. As a good parliamentarian, I asked to see all the Acts, and I was told that there is no such Act. The Bill provides for the amendment of an Act that does not exist.

Miss Widdecombe: I am very grateful to the hon. Gentleman for his close scrutiny. The point of having a debate is that the House can provide close scrutiny, but it will be denied to us today. Before the Government produce a flawed Bill, perhaps they will very hastily consider the hon. Gentleman's important contribution.

There is not even a provision for a five-minute delay in which to allow right hon. and hon. Members to table amendments for Report or to allow the Bill to be reprinted. In a few hours, the House will be faced with the same unacceptable situation. Indeed, it will be even more unacceptable, because only one hour will be allowed for Report and Third Reading, so there will almost certainly be no Third Reading debate.

It is all the more important for the House to have adequate time to consider the Elections Bill, above all in view of the hasty way in which it has been put together. I believe that it has been even more hastily drafted than the Football (Disorder) Bill, which was considered and consulted on for almost a week, if I remember correctly, yet a large number of improvements were subsequently made to it, several of which resulted from matters first raised in Opposition amendments.

The Elections Bill has been cobbled together in what must have been a matter of hours. Throughout last month, the Government, mostly through the Prime Minister's official spokesman, made it clear not only that they had no proposals to introduce legislation of this nature but that they were not even working on contingency plans—so we all know how much notice the Cabinet, above all the Secretary of State for Culture, Media and Sport, had of the reversal of that decision.

[Miss Widdecombe]

Hon. Members from all parties have already identified parts of the Bill that could be improved, and the hon. Member for North Antrim (Rev. Ian Paisley) has identified where the Bill is just plain nonsense. It is important that the House has time to consider the points that have been made, but even if the debate on the guillotine motion does not run for three hours, which is what the Government have allowed, the House will not get far past the Second Reading debate and, if it is extremely lucky, a couple of groups of amendments, before the guillotine falls. Important issues such as limiting the compensation scheme to independent candidates, as we have proposed, will not be debated. Nor will we debate the amendment tabled by the hon. Member for East Londonderry (Mr. Ross) on compensation for the expenditure incurred by the chief electoral officer in Northern Ireland.

Other important amendments tabled by hon. Members representing Northern Ireland constituencies will not be discussed, including those on combining polling cards for the local and national elections and those tabled by Ulster Unionist and Democratic Unionist Members on whether counting agents should be allowed to be present when ballot papers placed in the wrong box are sorted out.

The Home Secretary will recall the words of my right hon. Friend the Member for Bracknell (Mr. MacKay), who spoke for the Opposition on the guillotine motion that the Home Secretary moved on 29 November. He said:

"We value the Home Secretary's reputation as someone who is serious about this place. He is in such stark contrast to the Prime Minister and others who treat the Chamber in a cavalier way." [*Official Report*, 29 November 2000; Vol. 357, c. 994.]

My right hon. Friend then commented that the Home Secretary was tarnishing that reputation by moving the guillotine on that occasion. Today, the Home Secretary has no reputation for taking this place seriously. In the past, his guillotines have produced chaos in the Chamber and, as the House will see later when it considers the Election Publications Bill, botched legislation that need not have been a mess had this arrogant and dictatorial Government had any respect for the usual democratic processes.

The motion is an affront to the House and to the people who sent us here, who expect us to spend more than a few minutes on important proposals: that we will not do so is testament to the arrogance of the Government—an arrogance that will not be forgotten in the coming weeks as the guillotine falls on this contemptuous, arrogant, incompetent, out-of-touch, control-freak Government when the election comes, if it does come, on 7 June.

4.33 pm

Mr. Andrew Stunell (Hazel Grove): Like the Conservatives, the Liberal Democrats broadly support both the Bills that are the subject of the guillotine motion. The Government, having weighed the matter up carefully, have decided that the local government elections should be deferred from 3 May to 7 June, and my party supports them. Equally, the issue of the imprints and the introduction of the new regulations is an important one for the political parties. The Home Secretary is right to point to the fact that all three political parties were in favour of that change, and indeed urged that it should be made.

As far as I can understand it, all three major political parties in the House agree that the legislation is fit and proper for the House to consider and that it ought to be passed without unreasonable delay.

Mr. Robert McCartney (North Down): Does the hon. Gentleman appreciate that large sections of the Elections Bill that refer to Northern Ireland have nothing to do with such supervening factors as foot and mouth, which bring the three major parties into agreement to support the principle of the Bill?

Mr. Stunell: I fully understand the hon. and learned Gentleman's views on that matter. I was careful to make it clear that I was speaking on behalf only of the Liberal Democrats—I have made clear my views on that point. Several issues of detail in both Bills attracted the attention of my colleagues and me. Were the debate to be of sufficient length and thoroughness, we would want those matters to be included.

Given the broad consensus in the House and the willingness on both sides that progress be made with reasonable speed, the guillotine is out of place, unnecessary and probably counter-productive. Apart from any other consideration, even if such a guillotine were thought appropriate, the time allocated is ridiculously short for debate on such serious issues.

The House and one of its Committees—the Select Committee on the Modernisation of the House of Commons, on which I serve—have spent a great deal of time working out how the House could be more effective in the examination and rectification of legislation. In pursuit of that aim, I put questions to the Leader of the House. She assured me that one characteristic of the Labour Government was that they were improving the first drafts of Bills—the quality of measures when they are first put before the House is so much better that she wants to claim some credit for that.

I tabled a parliamentary question to establish the ratio of clauses, as introduced, to subsequent Government amendments in legislation under the previous Conservative Government and under the Labour Government. I thought it appropriate to set up some quality control to judge whether the claim made by the Leader of the House was soundly based. The answer was that the cost of working out the figures would be disproportionate. That is a circumlocutory way of saying that there is no evidence whatever to support the claim that the quality of legislation is better—or, indeed, worse—under the Labour Government than under the Conservative Government.

Mr. Hogg: Is not the truth that the quality of legislation improves only to the extent that there is discussion and consultation before publication? In cases such as these Bills—by definition—there is neither.

Mr. Stunell: I strongly support the right hon. and learned Gentleman's argument—indeed, I am probably ahead of him, because I have deployed such an argument in the Modernisation Committee, although not all his hon. Friends felt as confident of it as me.

That brings us to the question of whether the time allowed under the guillotine is anything like sufficient to accommodate the issues raised by the Bills. I did not hear the Home Secretary suggest that he believes for a moment

that the range of amendments submitted—nor those selected by either the Speaker or the Chairman of the Committee—is outrageous, perverse or out of order. A total of 50 amendments to the Elections Bill have been selected for debate. Approximately 50 others were not selected—I have not made an exact count. That is a large number of amendments covering substantial and important issues. Even after the latest list was printed, a further seven manuscript amendments were submitted but, of course, the House will not really have an opportunity to evaluate their importance.

Some of the issues for debate might be dismissed quite quickly by the House. It might decide that they are matters solely for debate, not for serious consideration, but one or two issues are clearly above the threshold of being available merely for debate. Compensation for candidates, which is dealt with in the Bill, is a matter on which my right hon. and hon. Friends have commented very unfavourably. Will there be an opportunity to debate that and to take a decision on it?

The hon. and learned Member for North Down (Mr. McCartney) raised with me the issue of Northern Ireland. In fact, a substantial proportion of the Elections Bill relates to Northern Ireland, and issues have been raised about the difficulties that might be caused by holding the local elections and the general election simultaneously and about the fact that—at least, at present—we can give thanks that there is no foot and mouth in Northern Ireland, and so on. Will there be time for those issues to be discussed?

I understand that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) has proposed in some amendments that the elections might be deferred to different dates in different areas. Those important issues might be dealt with quickly, but they certainly merit debate.

The Bill contains errors. For example, in deferring the annual meetings of councils as a consequence of deferring the local elections, police and joint fire authorities were overlooked, so we find that the dates of their annual meetings are not in synchronisation with the new timetable. Surely that needs to be discussed and rectified.

I noticed, by the new magic medium of e-mail, that the Home Office has today had to reissue its circular to returning officers, drawing their attention to an error in the timetable that it had included in the circular that it issued yesterday. Yet again, that shows not just the haste and speed—all of which is desirable, as we want all these things to be done—but the fact that there are issues before the House that even the Home Office has not squared and got ready to go.

Surely the right way forward is to allow not only reasonable time to debate those issues, but reasonable time to elapse for people to get their thinking caps on, so that they can anticipate and steer around the difficulties that may be thrown up. To advocate doing that is not to say that the Bill should not be passed, nor that it should be delayed, but simply to say that the Bill should receive proper scrutiny in the first place, so that we get it right first time.

I shall comment for a moment or two on the Election Publications Bill, with which the House will also deal tonight as a result of the guillotine. I served on the Standing Committee that considered the original Political Parties, Elections and Referendums Bill, and I spoke on behalf of the Liberal Democrats at each stage of the debate. The Committee was unusual. My experience of such matters is that Standing Committees are sometimes blessed with a few experts in the particular topic, but seldom is 100 per cent. of the membership made up of experts—yet every hon. Member on that Standing Committee was an expert. The Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), will remember that we crawled over the detail of that Bill perhaps almost to excess, but such matters were not at the forefront of our consideration.

I understand that the Bill is intended to ensure that third-party endorsements of particular candidates—or, more likely, third-party attacks on them—are properly attributed in future. Clearly, all political parties would understand the need for, and the desirability of, that proposal, but they would also understand that is not practical to introduce it now, given the very compressed timetable that is proposed.

I remind the Home Secretary and the Minister that one of the questions that was persistently asked of the Home Office team in Committee was whether they thought that electoral commissioners could be put in place and produce their rulings and guidance in time for a general election that, even then, was widely expected to take place about now. Home Office Ministers were sure that everything would be put in place and that we would be satisfied. However, that has not been possible.

We will have only an hour to debate the Election Publications Bill. That may be sufficient, because only two amendments have been tabled. They cover exactly the same point even though they propose slightly different mechanisms to deal with it. In due course, I hope that we shall have an opportunity to debate them. However, the amendments refer to the Home Secretary's capacity—alone and unaided—to reintroduce the proposals that I mentioned entirely without consultation. Therefore, it is important to the House that we debate that issue, so that either the amendments are accepted or we receive cast-iron assurances from the Government and the Home Secretary about their future behaviour. It is one thing to suspend the provisions almost without notice, but it might be another to introduce them—or perhaps deliberately to fail to introduce them—when it is appropriate to do so entirely on the fiat of the Home Secretary.

Liberal Democrats believe that the Government should lift the guillotine and withdraw the motion. They should let the debate take its course, because they would be pleasantly surprised at the outcome that that would produce. If a vote takes place when expected, we shall have only a little over two hours to debate the Second Reading and Committee stages of the Elections Bill and we shall have one hour to debate the Election Publications Bill.

The first debate is the most serious and we shall have only two minutes to debate each amendment, and that assumes that we have no votes. The guillotine, as imposed out of the blue in an unnecessary and counterproductive fashion, is wrong in principle, but I hope that even the Government can see that it is wholly inadequate in practice. I ask the Minister to make a concession on the issue of time. I hope very much that we can have a comparatively short debate on this motion, so that we can use the maximum amount of time on real scrutiny of the Bills.

[Mr. Stunell]

We have been jammed into an uncomfortable and wholly unsatisfactory and unnecessary position. The solution lies with Ministers, and we look very much to them to provide us with that solution.

4.48 pm

Mr. Robert McCartney (North Down): I wish to speak about the Elections Bill, which is particularly significant for Northern Ireland. It is important that procedures that limit the time that the House has to consider any Bill be used sparingly; but when the Bill affects the constitutional rights of electors and may influence their future, such a procedure must be used even more sparingly.

The greater part of the Elections Bill is taken up with matters relating to Northern Ireland. Because of the effects of foot and mouth, it is understandable that there may be a great deal of agreement about the Bill's contents among the parties that are largely concerned with the United Kingdom mainland, but that consideration does not affect Northern Ireland. At present, we are free from foot and mouth, so there is absolutely no objection to local government elections taking place in Northern Ireland in accordance with extant legislation. They could be held on 16 May, with a general election to follow once a date is determined.

We should have a full debate on aspects of the Bill that pertain to Northern Ireland. It should not be time limited. There is a grave suspicion that those provisions are being included for no reason whatsoever. They do not appear to be connected with the general election or foot and mouth. It has been common knowledge for some time that, to further their policies and objectives in relation to the peace process or the Belfast agreement, the Government have made moves to ensure that the Ulster Unionist party and the Social Democratic and Labour party should gain an advantage by a change in electoral arrangements. It was at first suggested that the local government elections in Northern Ireland should be postponed from 16 May 2001 to an indefinite future date, while local government was possibly reorganised. The agreement of the Ulster Unionists and the SDLP could not be obtained for that.

Long before the issue of foot and mouth arose in Great Britain or Northern Ireland, there were rumours in political circles in Northern Ireland that local government elections and the general election would be held on the same day. Fundamental constitutional issues are at stake and should be debated at length, including whether the principles of democracy and electors' rights are best served by having elections which use two systems on the same day. In Northern Ireland, voters will be expected to follow the general election procedure of first past the post, which allows them simply to put an X against the name of the single candidate for whom they want to vote, and the local government election procedure, which is based on proportional representation. Under that system, the voter marks his preference for one, two, three, four, five, six or more candidates on a list. It is not a matter of applying the same electoral principles as obtain for the election on the mainland, which will always use the first past the post system.

The capacity for engendering confusion, difficulty, misunderstanding and protests about the validity of votes is protean in Northern Ireland. Indeed, some of the proposals plainly provide for the boxes that contain the votes to be opened at the discretion of the returning officer, without the scrutiny of party representatives, to allow general election votes to be separated like the wheat and the tares from the votes cast in the local government elections. By making provisions that recognise the substantial mistakes that will be made and the mix-ups and confusion that will occur, on which the returning officer will have to decide, the Bill acknowledges my concern, which I hope I have put with some force. It is absolutely ludicrous, in purely electoral terms, to have two elections on the same day for two different sets of candidates that operate under two fundamentally different voting procedures.

Rev. Ian Paisley: I am amazed that the Under-Secretary of State for Northern Ireland dissents from what the hon. and learned Gentleman has been saying—I hope that the Under-Secretary is listening. The schedule to the Elections Bill states:

> "Nothing in these rules or the local elections rules requires the counting agents to be given facilities for overseeing the proceedings mentioned".

What are those proceedings? Are they that the boxes should be opened, every vote be taken out, the coloured votes separated into one pile and the white votes into another, all with no public scrutiny? Are those votes then to be wrapped up in a parcel and sent out with an outrider—we realise that local government people have employed outriders to go on motorbike to deliver parcels of votes to other places—without scrutiny? The Under-Secretary needs to face up to that.

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. I am afraid that the hon. Gentleman is going wide of the debate.

Mr. McCartney: I return to my general theme. For reasons that have nothing to do with the emergency in the United Kingdom at large, which has made it necessary for us to consider both Bills, the Government have decided to incorporate in one of them provisions that are not required by any exigency in Northern Ireland, and to import a system of voting that guarantees confusion. Indeed, the Bill recognises and provides for the sorting out of anticipated difficulty.

The Government are imposing a guillotine on a Bill that provides for the exercise of fundamental democratic and constitutional rights that any citizen may enjoy—the right to cast his vote in circumstances in which there is no confusion about the validity of its casting, in which there is no mix-up with any other election, and in which, in confidence and certainty, he can cast a vote for those by whom he wishes to be represented in local government or the House. It seems to me—and, I hope, the House—that the essential falseness and weakness of the proposed legislation, so far as it bears on that part of the United Kingdom known as Northern Ireland, is that it incorporates measures that are in no way induced, caused or generated by the fundamental emergency that has led to the introduction of both Bills. I hope and trust that, even at this late stage, Ministers will consider that, in relation to Northern Ireland, that is such a fundamental, democratic and constitutional issue as to require—nay, demand—a full and comprehensive debate.

4.58 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I beg to move, as an amendment to the motion, in paragraph 1(1), after "on Second Reading," to leave out

"in Committee and on consideration and Third Reading".

I hope that the hon. and learned Member for North Down (Mr. McCartney) will forgive me if I do not respond directly to what he said or follow on directly from his arguments. I hope that you will forgive me, Madam Deputy Speaker, if I say that he raised issues that disturb people like me, who are not familiar with the background in Northern Ireland. The hon. and learned Gentleman made points that need to be properly addressed by Ministers and which add weight to the general unease that many of us feel about the timetable motion.

My purpose in speaking is, first, to express my opposition to, and deep anxiety about, the timetable motion, and secondly, to speak to the manuscript amendment which Mr. Speaker kindly selected. My manuscript amendment is confined to the Elections Bill, not the Election Publications Bill, and would enable the House to consider all stages of the Elections Bill over two days, rather than one day. We should have Second Reading today, ending at 10 pm, and we should deal with the Committee, Report and Third Reading tomorrow, ending at a fairly late hour—say, 12 midnight. In any event, we should debate the Elections Bill over a two-day period.

The argument that we have heard from all parts of the House is that there is a need for emergency legislation. I make two observations about that. First, the fact that we may need legislation rapidly does not mean that we should pass it without proper scrutiny. Secondly, the phrase "emergency legislation" is probably not properly descriptive of what we are discussing. We are speaking of rapid legislation.

Mr. Forth: Panic legislation.

Mr. Hogg: I am speaking of rapid legislation. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and I approach the matter from different points of view. My right hon. Friend is addressing the motives of those on the Government Front Bench when he uses the phrase "panic legislation". My argument is that the legislation must be passed rapidly. We do not disagree, but I do not want to use the phrase that my right hon. Friend used.

The guillotine motion relates to two Bills. I propose to concentrate exclusively on the Elections Bill, save to say in respect of the Election Publications Bill that the fact that we shall have to consider that Bill under a timetable motion, or at all, arises because the principal legislation amended by the Election Publications Bill was itself not properly discussed. That ought to make us very chary of using the mechanism set out in the timetable motion.

I repeat the point that I made to the Home Secretary. I am a serious believer in the procedure whereby a Standing Committee can take evidence. There is a great deal in what the hon. Member for Workington (Mr. Campbell-Savours) said about a Cabinet Minister deciding as a matter of principle that all legislation introduced by that Department should be the subject of evidence taking, either through a Select Committee, which was the procedure adopted in the context of the Adoption and Children Bill, or, as I would suggest—although I do not want to be dogmatic—by the Special Standing Committee procedure, which has been in place for yonks but is rarely used. It should be.

I turn to the Elections Bill and the timetable motion. We need to understand what we are discussing. As I understand the effect of the timetable motion, I think that the hon. Member for Hazel Grove (Mr. Stunell) misspoke himself, if he will forgive my saying so. We must finish the Second Reading and Committee stage by 9 pm. In other words, we have about four hours to go through a process which, in the ordinary course of events, would take very many hours.

That is pretty surprising, and it is not implausible to say that there is a strong presumption that it is thoroughly undesirable, too. It is all the more undesirable when one bears in mind that the Elections Bill was published only yesterday. I did not see it at all until 3.45 pm, and my constituents will not have seen it even now.

As I understand it from the Prime Minister's official spokesman, Mr. Campbell, who often seems to be in the dominant position in No. 10, until very recently, probably Monday, no work was being done on the Bill. That, by definition, means—if he was telling the truth, and I am prepared to give him credit for doing so—that no work was done, and there was no pre-drafting consultation. If he was telling the truth—let us assume that he was—it must necessarily follow that there was a lack of consultation. How could pre-drafting consultation have occurred if no work had been done? Thus the Elections Bill was published yesterday and was not the subject of consultation, but we are being asked to bang it through by 10 o'clock. That strikes me as a pretty remarkable state of affairs.

Mr. Bercow: Does my right hon. and learned Friend consider that, when the Government decided the adequacy of the motion, they may have been influenced by the expectation—or even intention—that no Labour Member would seek to speak during this three-hour debate? Only one of their Back Benchers—the hon. Member for Cleethorpes (Shona McIsaac)—has eventually had the courtesy even to attend.

Mr. Hogg: I suspect that my hon. Friend is right, to the extent that the Government Whips are trying to keep their Benches clear. He has, however, done a slight injustice to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who expressed earlier her grave anxiety about procedure such as that with which the motion deals. The House will know that the hon. Lady is deservedly of high reputation and is jealous of the reputation of the House. Her views carry weight, and it was clear that she did not like the process that we are considering. I should point out that I now see another Labour Member in the Chamber, although I do not immediately recognise him.

Having made it clear that we are engaged in a thoroughly undesirable exercise, I should like to speak in more detail. I observed that 10 groups of amendments appeared in the preliminary selection. As I have taken advice, I know that more amendments are being added to those groups, probably even as I speak. More amendments will appear on Second Reading, and perhaps in Committee. There is an ever-expanding number of

[Mr. Hogg]

amendments, many of which are substantive. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) tabled important amendments relating to the process for selecting a date. I tabled an amendment suggesting that the local authority elections should be delayed until the end of this year. Amendments dealing with a range of procedural matters have been tabled by the Liberal Democrats and by Unionist Members. I also thought that the hon. and learned Member for North Down made points of particular importance.

The plain truth is, however, that we shall consider none of those amendments. By 9 o'clock, we will barely have finished even a partial Second Reading, let alone a detailed discussion. Important amendments that Mr. Speaker has selected for consideration in relation to a Bill of constitutional importance will remain untouched. We cannot take representations or consult outside interests on the technicalities. Furthermore, my constituents cannot express a view through me to the House. I am bound to say that that is not only remarkable, but scandalous. If the legislation were absolutely essential, then all right, we could accept the need for urgency, but it is not absolutely essential.

I have provided a solution, albeit a partial one: a two-day debate. That time scale would enable us to debate Second Reading until the ordinary time—10 o'clock tonight—and take time for reflection. Perhaps the e-mail system, faxes and so on would then communicate representations of one sort or another. A more informed debate would then follow tomorrow. What on earth is wrong with that? God knows that it would be a truncated debate, but it would be a lot better than what we are now talking about.

It is nice to see the Home Secretary back in his place. He has his correspondence, so no doubt he will be signing away and looking through all the documents from the last general election which he has fished out of his attic. I shall certainly give way to him, although he found it difficult to give way to me. I note that he does not want me to give way to him. So be it; I will not do so for the moment. In any event, I expect a proper response from a Minister at the close of this debate, explaining why we cannot consider the Elections Bill over two days, and I look forward to that. If the House adopts the solution that I have recommended—a two-day debate—that will leave adequate time in this place and the other place to finish consideration of the Bill in time to allow local elections to take place on 7 June, if that is what is resolved.

I move now from the particular to the general, and I want to make five points. Most importantly, the House does not need to be treated in the way we are tonight being treated. If the Government had heeded the wise words of my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), an enabling Bill would have been introduced some two or three weeks ago, and the deferment of the local elections would have been triggered by a statutory instrument provided for in that legislation. If the Government had adopted my right hon. Friend's wise suggestion, we would not have been in the jam that they tell us we are in today. The truth is that the Prime Minister dithered, talked to his political advisers, considered what was in his party's interests and made a rapid, urgent and unmeritorious decision.

Assuming that the Government could not have been persuaded to do what was so manifestly sensible and enact an enabling Bill, they could at least have published a draft Bill some two or three weeks ago, so that interested parties could have considered it and expressed their opinions and it could have been improved if necessary. The Government chose not to do that either.

I am not particularly in favour of late nights, but God knows I have been in this place long enough: some would say too long—[Hon. Members: "No!"] That was the reaction that I expected from my right hon. Friend the Member for Bromley and Chislehurst but not from my right hon. Friend the Member for Maidstone and The Weald. We are perfectly capable of sitting late when necessary, and if we must, we should. We have done so on many occasions during this Parliament, albeit when it has suited the Government.

I remember, for example, the proceedings on the Football (Disorder) Bill, fathered by the Home Secretary. It may have been a great Bill, but I thought it was lousy. I have a lot to say about it, but I said it at 11, 12 and 1 o'clock, which was a perfectly sensible time to say it. We could sit late if we really wanted to. The fact that we are not doing so raises serious questions about the propriety of what we are doing.

I have also tabled another manuscript amendment. It has not been selected, but I can make my point none the less. The Bill—I refer to the Elections Bill, not the Election Publications Bill—refers to England, Wales and Northern Ireland; it does not refer to Scotland, so why should Members who represent Scottish constituencies vote on the Bill? It is no conceivable business of theirs. It is the business of Northern Ireland Members and Welsh Members, although I do not see one here, and it is certainly our business.

Mr. Straw: Did the right hon. and learned Gentleman take a similar view, even privately, when the Bill to establish a poll tax in Scotland alone came before the House? Did he say that the Bill should be voted on only by Scottish Members?

Mr. Hogg: The right hon. Gentleman is missing the essential consequences of devolution. Before devolution, ours was a unitary state, whereas since devolution, affairs in Scotland have been explicitly and exclusively the responsibility of the Scottish Parliament. I shall not proceed with this line of argument, Madam Speaker. Even the Home Secretary will understand the folly of his intervention.

My amendment to prevent Scottish MPs from voting on the Bill has not been accepted. However, it is within the Home Secretary's competence to advise those of his colleagues who come from Scottish constituencies that it would not be inappropriate for them to vote, and I hope that he will do so.

Mr. Bercow: I am sure that my right hon. and learned Friend is right in supposing that the reason why the Government do not want to sit late is that most Ministers and Labour Members cannot wait to scurry home to consume their Ovaltine and tuck themselves up as early as possible. Does he acknowledge that one of the main bases of Government objection to his tabled amendment is that if debate took place over two days, and so continued

throughout tomorrow, it would gravely affront the Minister for the Cabinet Office and her colleague the Parliamentary Secretary, who want to push through that wretched constitutional monstrosity called the Regulatory Reform Bill?

Mr. Hogg: My hon. Friend may well be right, but I have never consulted the interests of the Minister for the Cabinet Office—and she has never consulted mine either. We are at least ad idem on that.

There is a legitimate discussion about whether local government elections should be held on 7 June or at some other date. I believe that they should be held at a later date: probably in the middle or latter part of October, by which time foot and mouth will certainly be under control. It is doubtful that the disease will be under control by June. It is absolutely clear that if—with the exception of Northern Ireland—local government elections are to be deferred because of foot and mouth, we should be able to receive representations from our constituents and other interested groups before fixing on the date of 7 June.

The guillotine and the procedure that we are adopting prevent us from hearing the technical and other arguments about an appropriate date. I may be right or wrong in saying that the appropriate date is October, not June, but I would feel much happier if the House had had proper time to receive representations from constituents who are most affected by these matters.

I am against the motion, and if it is pushed to a Division I shall vote against it. In any event, I am strongly in favour of my amendment, which would enable the House to consider the Elections Bill over two days. If you will permit me, Madam Deputy Speaker, and if I am so enabled, I shall call a Division on that amendment.

5.19 pm

Mr. Christopher Chope (Christchurch): I support the comments of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and his amendment. I want to confine my remarks to the implications of having only one hour in which to discuss the Election Publications Bill. At least the Elections Bill will be discussed in the other place. I hope that the other place will be more intent on scrutinising it than it was on scrutinising the Election Publications Bill.

The Home Secretary used that fact against us. He said that the other place spent only 23 minutes discussing the Election Publications Bill. I doubt very much that the other place would have spent only 23 minutes discussing the Bill had it known that the House of Commons would be allowed only one hour in which to discuss all its stages. That arrangement is without precedent: it is constitutionally outrageous, and it shows that we have an increasingly tyrannical Government.

The fact that the Home Secretary had to use a wholly specious precedent in a lame attempt to prop up his case reveals how desperate he is. He cited the precedent—as he described it—of the 1989 Gaming (Amendment) Bill. Because I do not take everything that the Home Secretary says at face value, I then slipped out of the Chamber and went to the Library to look up the history of that Bill. In fact it is the Gaming (Amendment) Act 1990, which was introduced in the House of Lords as a private Member's Bill in 1990.

The Bill was debated in the House of Lords, where its Second Reading took place on 15 February. It was introduced by Lord Allen of Abbeydale. The Committee stage took place in the House of Lords on 1 March; there was a formal Report stage on 22 March, and Third Reading took place on 2 April in the House of Lords. The Bill then came to the House of Commons, where it was given a formal Second Reading on 8 June. It is true that it was not debated; there was a vote, and it was allowed a Second Reading. Significantly, however, there was then time for Members of the House of Commons to decide whether they wanted to table amendments, because the Bill was considered again on 6 July. As no amendments had been tabled and there was no discontent with the Bill, it passed into law. That is a very different proposition from what we are discussing now.

In a throwaway line, the Home Secretary—again, perhaps badly briefed—said he assumed that the Gaming (Amendment) Act must have been of much greater concern to many more people than the Election Publications Bill. The Gaming (Amendment) Act, however, refers only to the narrow issue of applications for casino licences. I submit that many more people are interested in the imprints of election literature than are interested in that subject.

Mr. Straw: I too will go to the Library, but I have been informed that the 1990 Gaming (Amendment) Bill was different from the 1989 Bill.

Mr. Chope: Indeed, because the 1989 Bill does not exist. Taking what the Home Secretary had said at face value, I asked the Librarian to look up the 1989 Bill. When he could not find it, I said "I am sure it must be there, because the Home Secretary has said it is there." We looked at the books and there was nothing, so we then thought that the date must be wrong—and indeed the date is 1990. I do not know what disciplinary action the Home Secretary wishes to take against those who advised him. Perhaps he will take full responsibility: in fact, I am sure that he will.

There is a serious point here. If we have only an hour in which to debate the Bill from beginning to end, how will we have a chance to conduct research and investigate the accuracy of arguments deployed by the Government in support of their legislation—and how will those outside have a chance to discuss the issues and verify what Ministers say?

I am sure that the Home Secretary spoke in good faith, but he is man enough to admit that he made a fundamental error in referring to the 1989 Gaming (Amendment) Bill. I hope that it will not be used again as a specious precedent for even more draconian curtailments of debate.

In any event, the Election Publications Bill is unusual because clause 2 is effectively a Henry VIII clause giving the Home Secretary absolute power to amend primary legislation in the form of section 110 of the Representation of the People Act 1983. *[Interruption.]*

Mr. Bercow: It is important that the sedentary chunterings of the Home Secretary should be placed

[Mr. Bercow]

firmly on the record. Did I hear the Home Secretary correctly when he said a moment ago that the Bill was "scarcely draconian"?

Madam Deputy Speaker: Order. Will the hon. Gentleman please address the Chair?

Mr. Bercow: I apologise profusely. There was no intentional discourtesy. Did my hon. Friend the Member for Christchurch (Mr. Chope) hear, as I did, the Home Secretary say that the measure was "scarcely draconian"? If he did—my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is signalling that he heard it—can he tell me what exactly the Home Secretary would regard as draconian?

Mr. Chope: Once we have got to the stage of saying that we can deal with Government legislation in the House by forcing it through within one hour, without any chance to debate it further, that is draconian.

Mr. Straw: I am grateful to the hon. Member for Buckingham (Mr. Bercow) for raising the matter. He is right: I did say that the Bill was scarcely draconian. I was also muttering that Draco was the chief magistrate in Athens in the 7th century BC. The reason why he is remembered is because he introduced capital punishment for virtually every criminal offence.

Mr. Forth: An excellent man.

Mr. Straw: The right hon. Gentleman says that Draco was an excellent man. That is not a tradition that I have sought to follow in any particular whatever. Nor do I believe that one can in any sense describe the Bill, which is about election publications, as within the compass of what Draco had in mind when he gave his name to an immortal adjective.

Mr. Chope: The Home Secretary is desperately trying to argue the point. He says that the Bill is scarcely draconian. What he is saying is that it is not very draconian—not by his standards. We will see what sort of punishment regime is in operation when some of his hon. Friends seek to try to divide the House or vote against the legislation, particularly the timetable motion. We will see whether he wishes to impose the equivalent of capital punishment on their parliamentary careers. I suspect that that is exactly what he and his friends have in mind.

The Bill, the debate on which is to be limited to one hour, is unusual not just because it has a Henry VIII clause, but because it seeks to keep on the statute book two sets of laws. The helpful note produced by the Library says:

"The Election Publications Bill [HL] is fairly unusual in that it ensures that both the pre-16 February and the post-16 February provisions of s110 are in effect in force at the same time. It is also unusual because it does not result from a court case or new legal advice where the interpretation of the law has been brought into question, but simply by the inability of certain political parties"—

Madam Deputy Speaker: Order. The hon. Gentleman is now debating the content of the Bill, rather than the motion that is before us.

Mr. Chope: I am seeking not to debate the content of the Bill, but to explain why we should have the chance to debate the content of the Bill. It is an unusual Bill. It is without precedent and deserves proper scrutiny. If I had been attempting at this stage to read the whole of the Election Publications Bill briefing from the Library, obviously, I would be out of order. All I am saying is that the Bill, on which the Government are trying to curtail debate, is very unusual. We should have proper scrutiny.

I am very worried by the Home Secretary's remark that it would not have been necessary to curtail debate on the Election Publications Bill if it had not been made clear that there was some opposition to it among Conservative Members. I think that he meant that someone—my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)—had had the temerity to table an amendment.

The Bill was on the Order Paper for debate on Monday, and there was ample time to scrutinise it then. There is no reason to suspect that the Chair would not have allowed a closure motion at a reasonable time if it seemed that the debate was being prolonged unnecessarily. I came to the House on Monday prepared to debate the substance of the Bill, and now we will have only a very short time to raise matters of concern.

It is wholly unnecessary to treat us in this way. The Home Secretary seems to take the view that the whole purpose of Parliament is for Front Benchers to come to agreements and push everyone else out of the equation. What future role do Back Benchers have if debate is so curtailed that there is time only for speeches from the Front Benches before the guillotine falls? We are getting to that stage, and it is very serious indeed.

My right hon. Friend the Member for Bromley and Chislehurst has been assiduous in ensuring that private Members' legislation is properly scrutinised. If one were to apply to such legislation the precedent that the Government are now setting, we might have six or 10 one-hour Second Reading debates on a Friday. The Government might find that rather uncomfortable, because it could give Back Benchers more power to introduce legislation. Fridays might then become rather more burdensome for them.

If it is reasonable for a Second Reading debate on a Bill covering quite a narrow issue to run from 9.30 to 2.30 on a Friday, why is it necessary to restrict to one hour the debate on a significant Bill that is retrospective, contains a Henry VIII clause and sets the intriguing precedent of putting two contradictory pieces of legislation on the statute book at the same time? This is appalling, and I strongly oppose it.

5.33 pm

Rev. Ian Paisley (North Antrim): Northern Ireland Members and our constituents are in a very difficult position. The Elections Bill has sprung from the womb of the tragedy that has afflicted the larger part of the United Kingdom—the foot and mouth plague—but we do not have that plague in Northern Ireland. The plague can be isolated, and the European Community has declared Northern Ireland plague-free, except for one local government area.

The Bill has been introduced to postpone elections because of foot and mouth, but there is no ground for that whatever in Northern Ireland. The people of Northern Ireland are enraged by the fact that the Bill is almost wholly concerned with us: there are a couple of lines on England and Wales, then on page 2 we find the clause

heading "Postponement of local elections in Northern Ireland". Schedule 1, on page five, also deals with Northern Ireland. Almost the whole Bill deals with Northern Ireland.

For some reason or other, local government elections that could have been held on 16 May will not be held on that date but postponed to a date to be chosen on which both elections can be held. If we in Northern Ireland had ever heard of such a proposal, perhaps we would have treated this Bill with more respect. There has been a large argument in Northern Ireland about when local elections should be held.

Madam Deputy Speaker: Order. May I remind the hon. Gentleman that we are discussing the allocation of time motion?

Rev. Ian Paisley: I am making the point that I object to the guillotine because it is part of a solution to a situation that did not need to arise. It is legitimate for me to make that very special point, as my colleague the hon. and learned Member for North Down (Mr. McCartney) did in his speech. That is what I am seeking to do.

The Under-Secretary of State for Northern Ireland—who is now in control of the Treasury Bench—knows the discussions that he has had in past months on local government elections. Those discussions have had nothing whatsoever to do with the foot and mouth plague. Two parties in Northern Ireland—the First Minister and the Deputy First Minister—want something to be done about those local government elections. One party—the First Minister—wanted the elections to be postponed for a long time, perhaps one or two years. It did not suit him to consult the people because the people would have rejected what he said. He therefore decided, "Let us postpone them. They are going to be unpleasant for me."

The First Minister's Deputy wanted something to be done about the elections, but he did not want to be so drastic. As the two parties could not agree, they could not present an agreement to the Government. However, they decided to propose that both elections should be held on the same day, as they felt that that would be a great advantage to them. Therefore, the House is being asked to pass this Bill not because of foot and mouth disease—according to Europe, which seems to be the supreme potentate in these matters, there is no foot and mouth disease in Northern Ireland—but because the Government have decided that we shall go with the First Minister and the Deputy First Minister, who feel that it would be good to delay the elections.

Hon. Members will notice, however, that not one Ulster Unionist Member is in the Chamber. Ulster Unionist Members do not want what their leader wants; they do not want it at all. Therefore, they have not attended the debate, although they may attend for debate on Second Reading, if we have time for that.

The Minister is smiling graciously because he knows all of that very well. He and my party had long meetings on the matter. I am holding a very long letter on the matter that I sent to the Prime Minister. I am glad that, yesterday, I mentioned in the House that I had not received a reply to it from the Prime Minister because, this morning, I received a hand-delivered reply from him. I will bear that in mind in future when he does not reply to my letters.

No decent democrat could agree with some of the Bill's provisions. Even the Alliance party is opposed to the Bill. Although it is one of the pro-agreement parties, it cannot stomach the Bill, which strikes at—

Madam Deputy Speaker: Order. I really must remind the hon. Gentleman that we are discussing not the Bill's content, but the allocation of time for considering it.

Rev. Ian Paisley: Should we not have time to discuss a matter that cuts across basic democracy? I happen to believe in free elections. I happen to believe that, when the boxes are opened, they should be scrutinised by the candidates and by the scrutineers. I lost my first election because an election box went missing. I would have been elected had the box been found. My hon. Friend the Member for South Antrim (Dr. McCrea) lost the election in the Mid-Ulster constituency because of fraud. Everyone admitted that there was fraud in that election, even members of the Social Democratic and Labour party.

The Bill under consideration provides a way for fraud to be carried out. Interestingly enough, it used to be that the electoral officer had to perform certain duties when votes were counted. The Bill does not require him to do anything. The word used is "may", rather than "shall". He cannot be forced to do anything. That cuts at the heart of democracy.

What is more, scrutineers and candidates will be prevented from seeing the boxes opened for the first time.

Mr. Nicholas Winterton (Macclesfield): Is the hon. Gentleman arguing that the programme motion will allow insufficient time to represent the interests of the thousands of people in Ulster who vote for him and his party?

Rev. Ian Paisley: There will be no time for that. Once debate on this motion is complete, we will move on to the next motion. I have been told that perhaps one person from my party will be able to make a short speech, and then it will be all over. We have gone through the Bill and have tabled amendments to it. I do not want to raise this matter continually, but my party has been treated shamefully in not being told about the Bill. We have received an apology for that.

When we were eventually told about the Bill, we were given a draft version. I went to the Vote Office and asked for all the relevant Acts, but the office could not supply them, so I was not able to give full consideration to all the papers mentioned in the Bill. I had to wait until late last night before I got the necessary papers.

How could I have had time to look at all the papers? I worked hard on the matter, and discovered that one of the papers—Elections (Northern Ireland) Act 2001—could not be found because it does not exist. The Vote Office wrote to me, stating:

"The N. I. Office have informed us that there is no such act as the Elections (N.I.) Act 2001."

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): I thank the hon. Member for North Antrim (Rev. Ian Paisley) for giving way. His normal eagle-eyed scrutiny has revealed a drafting mistake in the Bill. If he looks at the amendments selected for debate, he will note that the Government have

[The Parliamentary Under-Secretary of State for Northern Ireland]
tabled an amendment to put the matter right. We spotted the error as well, but of course the resources available to us are far greater than those available to him.

Rev. Ian Paisley: The Minister is not revealing all the facts. He spotted the problem because he received a letter from the Vote Office. However, the argument remains the same.

I represent, both here and in Europe, more people in Northern Ireland than are represented by any other hon. Member. My party represents a majority of the Unionist electorate. It is right for me to tell the House that I must oppose the guillotine. We cannot reasonably discuss a matter when there is no time to consider it. The relevant parliamentary offices lack the necessary information, and the Minister is forced to reveal that a drastic mistake had been made.

There have been two drastic mistakes. As the hon. Member for Belfast, South (Rev. Martin Smyth), the spokesman for the Ulster Unionist party, said yesterday in the House, Northern Ireland representatives have been unable to get hold of the papers in time. When we finally got them, a paper that was not relevant held up the supply of the other papers.

The people of Northern Ireland cannot be expected to ask us to ram this measure through, because it is not needed. We could go ahead and have our elections on 16 May. It is a terrible thing when politicians are afraid of an election result. What is more, the Bill opens the way for cheating and fraud on the part of every criminal in the country. All they have to do is run down one motorbike rider carrying a bundle of votes from one station to the other. If those votes are lost, the whole election has to be declared null and void. The Minister knows that there are people in Northern Ireland who would do that gladly. If the big bomb in Londonderry yesterday had exploded it would have blown up many police officers, so we know that that is a reality.

How could the Government expect me to say, "Go ahead, rush it through."? I must make my protest. I have found it very difficult to do so. I was held up yesterday because I was told that I was out of order. I know that there will be no time to speak on Second Reading today, so I am making my point strongly now.

There is no need for the Bill. Northern Ireland does not have foot and mouth disease, according to the European Union, which is the supreme potentate. It examines the innards of the animals and declare whether they are clean or unclean. It has taken the place of the Aaronic priesthood. As Europe has declared Northern Ireland clean, we should be able to hold the local government elections on the proper day without any change.

5.47 pm

Mr. Eric Forth (Bromley and Chislehurst): We must surely have reached the depths of parliamentary despair—the slough of parliamentary despond—in the point to which the Government have brought us today. I follow in the spirit of the remarks of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and strongly support his amendment.

We must ask ourselves why we, as the House of Commons and a Parliament, are in this intolerable position. The reason is that we are caught between the vacillation of the Prime Minister and the arbitrary date of the Easter recess, which has been decided, essentially, by the Government. The Prime Minister is the Government—no other part of the Government appears to function in any sense—and even he cannot make up his mind. The one thing that the Government have decided on, to which the House has agreed, is the date of the Easter recess.

The Government have said that these two rather grubby Bills must be passed immediately, with no effective scrutiny or consideration. Why? Because of the indecision of the Government, who, nevertheless, have a mysterious ability to decide positively about the date of the Easter recess. We cannot therefore have the proper time normally available for considering a Bill of this kind.

The Home Secretary tried to draw an analogy with the deliberations in another place. I have always thought it proper and good for the two Houses of Parliament to take a completely different view of the way in which they deal with legislation. Therefore, the fact that the members of another place saw fit to allow one of the Bills to go through quickly, without much debate and without amendment, is neither here nor there. It is for this House to decide how it will deal with matters. The fact that the Election Publications Bill was originally on Monday's Order Paper and that the Chairman of Ways and Means kindly accepted and selected my amendment to the Bill—since when another amendment has been tabled and selected—suggests that this House was looking at the Bill in a very different way from the other place. For the Home Secretary to come along and say, "The Lords let it go through very quickly and therefore so should the Commons" is a distressing example of a misunderstanding by the right hon. Gentleman of the way in which Parliament works. I should have thought that he was on top of these things, but it seems that he has slipped of late. He now apparently says that if something happens in another place, it should happen here. I refute that argument.

The Home Secretary tried to suggest that there was a precedent. I asked whether there was a precedent for a Government, under a guillotine, seeking to restrict all stages of a public Bill to one hour. He came up with a precedent that was, as my hon. Friend the Member for Christchurch (Mr. Chope) demonstrated, a spurious and unlike example. In other words, there is no precedent. Yet again the Government are breaking new parliamentary ground by having the gall and arrogance to say that the law of the land should be made after one hour's consideration in total by the House of Commons. That is the prospect which we face tonight, and it is surely unacceptable.

Let us take a different approach, again following the spirit of what my right hon. and learned Friend the Member for Sleaford and North Hykeham said. Why could we not sit later tonight? Presumably, it is because the babes on the Labour Benches do not want to be here too late. They do not feel that it is right to be detained at a late hour to do something as trivial as legislating, scrutinising or holding the Government to account. The delicate babes on the Government Benches feel that it is inappropriate to be delayed overlong in the House of Commons. Surely if it is a matter of emergency—which I doubt—and a matter of panic, which it certainly is for

the Government, they could say to their babes, "Can't you just stay a bit late for one night to allow us to consider the matter?"

Madam Deputy Speaker: Order. The right hon. Gentleman is surely aware that that is not the language that we expect to be used in the Chamber in reference to hon. Members.

Mr. Forth: I am sorry if I have offended the delicacy of Labour Members. I shall try to remember that I should address them as honourable but largely absent Members. That perhaps would be a more accurate description of them. I shall try to remember to use it in future.

Mr. Bercow: My right hon. Friend expresses himself in his customarily restrained and understated fashion with which the House is familiar. While I do not in any way dissent from the important point that he has made in his emollient style, may I ask whether he agrees that another reason that the Government do not want substantial debate on this matter any more than on any other is that they know that most of the people who would contribute to the debate from the Back Benches, including their own, would be potent speakers largely critical of the Government? Surely my right hon. Friend accepts that what the Government want is for their Back Benchers to be craven lickspittles of the Patronage Secretary.

Mr. Forth: The Government may already have achieved that objective early in this Parliament. The point is whether those who are still keen on our role of scrutinising and attempting to hold to account should be given a proper opportunity so to do.

The Chairman of Ways and Means has selected a large number of amendments and a new clause which are deemed to be suitable and appropriate for debate and consideration by the House. They cover some important matters, and they have been tabled by members of more than one political party. As Northern Ireland Members have said, the amendments bear substantially on matters that are the proper concern of Northern Ireland.

So we have on the one hand the Government's self-imposed need or desire to deal with the matter in the most peremptory and panicky fashion and on the other the acknowledgement by the Chairman of Ways and Means that legitimate amendments have been tabled, even to the extent that the manuscript amendment tabled by my right hon. and learned Friend the Member for Sleaford and North Hykeham has been selected. As my right hon. and learned Friend said, there may be further amendments to come. Against that background, the Government say that the amount of time available to the House is to be arbitrarily and unnecessarily restricted to 10 o'clock this evening, in the case of the Elections Bill. That has been done for no given reason. Perhaps the Minister will tell us why the matter must be dealt with by 10 o'clock this day and why it must be dealt with on this day in any case.

The Elections Bill will have to go to another place. One asks whether the normal period will be allowed to elapse between the end of consideration by the House of Commons and when the other place is asked to pick it up. I should have thought that that was an important consideration. As far as I know, the House of Lords will sit tomorrow. It could sit on Friday, if it is not already due to do so. It will almost certainly sit on Monday and Tuesday. There is ample scope for the amendment tabled by my right hon. and learned Friend the Member for Sleaford and North Hykeham to be accommodated, or even to go further and allow more time for consideration. No reason has been given in the case of the Elections Bill, never mind an adequate or acceptable one, for the deadline of 10 o'clock this evening, or for allowing only one day's consideration of a Bill to which a large number of amendments and new clauses have already been selected.

When it comes to the Election Publications Bill, about which my hon. Friend the Member for Christchurch spoke a moment ago, and to which I am happy to say that my own modest amendment has been selected, the waters get murkier. It is a grubby little Bill introduced with an even grubbier all-party consensus to conceal some all-party cock-ups. What worse motivation could there be for changing the law of the land? I shall hope to catch your eye later, Madam Deputy Speaker, and expose the Bill for what it truly is. This is not the time or the place to do so.

Mr. Peter L. Pike (Burnley): If time is so crucial, why are we wasting three hours in debating the programme motion?

Mr. Forth: What a typical and representative view from a Government Member. They think that the debate is a waste of time, Madam Deputy Speaker. A Government Member who has drifted into the Chamber opines that the debate is all basically a waste of time. Nothing could sum up better the attitude of—I was going to say new Labour, but I will not insult the hon. Gentleman by using that label. I do not think that he would welcome it. A senior member of the Labour party and a generally respected Member of the House gives us his view that the debate is a waste of time. I am sure that if you shared that view, Madam Deputy Speaker, you would have put a stop to it long ago. This is an important debate, and one that I can well see that the Government want to shut down or ideally avoid altogether.

I will not say more on the Election Publications Bill at this stage, and I may not be able to say much later because the Government have allowed only one hour to change the law of the land—one hour in total for the House of Commons to consider a matter of widespread interest. Were I to catch your eye later, Madam Deputy Speaker, I would refer briefly to the reasons given for the Bill in its brief passage through another place. They reveal some interesting aspects of it, but this is not the occasion on which to do any such thing. Suffice it to say that there are several reasons why the House should reject the motion, not least that one hour in total for consideration of a Bill is utterly unacceptable and outrageous. It is without precedent because the Home Secretary and all the might of his Department were unable to produce a precedent.

Unless I am contradicted by the Minister, this is new ground. This is something that has not happened before. Law is being made by a Government imposing themselves on the House of Commons and saying that all stages of a Bill must be completed in one hour. Let us understand what that means. Let us say—I was going to say 659 Members of Parliament, but I will exclude the

[Mr. Forth]

payroll—instead, let us say that more than 500 Members of Parliament may wish to speak. They will be given a total of one hour—

Mr. Don Foster (Bath): Or less.

Mr. Forth: The hon. Gentleman reminds me that Divisions could reduce that time. I am being generous to the Government. I said that it is just possible that there will be as much as one hour for debate, but, of course, it could be 45 minutes or even less.

Mr. Pike: It could be more.

Mr. Forth: It certainly could be, if the hon. Gentleman's dearest wish were granted and we completed consideration of the Elections Bill before 10 o'clock this evening. Presumably, the hon. Gentleman suggests that we get through 50 amendments before 10 o'clock, so that we can get on to the Election Publications Bill earlier than that.

Mr. Pike: I have great respect for the right hon. Gentleman, but we could have started debate on the Elections Bill at 3.40 pm, so we could have had much more time on it.

Mr. Forth: Of course. If we debated nothing at all in the House, we could all go home immediately. That is the logic of the position increasingly taken by Labour Members.

Mr. Nick Hawkins (Surrey Heath): In support of my right hon. Friend's argument, has he considered the fact that, earlier, the Home Secretary advised the House that it might be a good idea if, on certain matters, we followed the other place? Has my right hon. Friend considered that Her Majesty's Government apparently anticipate that the other place will consider the Elections Bill for two days—continuing into next week?

Mr. Forth: I am grateful to my hon. Friend for that information. However, we do not know it officially—it is not public knowledge. In any case, I do not think that should alter our attitude to our consideration of the Bill. The fact that Members in another place saw fit to deal with the Election Publications Bill in a few minutes is a matter for them—properly. However, I see it differently in this place. My hon. Friend's helpful advice does not alter by one iota my view of the motion or of the Bills.

Mr. Don Foster: The right hon. Gentleman might reflect further on the intervention of his hon. Friend the Member for Surrey Heath (Mr. Hawkins). Although Members in another place have longer to discuss the Bill, they will not be allowed to discuss matters relating to its financial consequences. They have thus been given a significantly longer time to deal with far less.

Mr. Forth: That is so. What makes it all worse is that, according to the section of the motion headed "Consideration of Lords Amendments to the Elections Bill", the Government suggest that, if their lordships are wise enough to make amendments to the Bill, we shall then be given one hour to consider those amendments when the Bill comes back to this place. I hope that amendments will be made in the other place, because we certainly shall not have time to amend the Bill, based on the admirable selection made by the Chairman of Ways and Means.

I hope that their lordships scrutinise the measure carefully and amend it—I doubt that we shall have the opportunity to do so. It will then be interesting to see what we do during the one hour that the Government are allocating for our consideration of the Lords amendments that I hope will be made. The viciousness of the motion is compounded the further one looks ahead to future proceedings.

The combination of the comments of my right hon. and hon. Friends and my own modest contribution should surely be enough to persuade the House to reject the motion. I hope that we shall accept the amendment tabled by my right hon. and learned Friend the Member for Sleaford and North Hykeham, although I do not think that it goes far enough. However, it certainly goes in the right direction, so I am prepared to support it. I hope, too, that the Under-Secretary of State for Northern Ireland, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), will at least attempt to answer some of the many questions that have been put. Before we decide how we will vote, he will have one last chance to persuade us—as his right hon. Friend the Home Secretary failed to do—that the motion is appropriate, acceptable and proper.

Mr. Bercow *rose—*

Mr. Forth: I am about to conclude, but I will give way to my hon. Friend once more.

Mr. Bercow: My right hon. Friend's generosity of spirit invariably gets the better of him—as Members on both sides are well aware. I invite him to consider this rather simple, prosaic but, I hope, valid point: does he not think that it is significant that during this afternoon's debate, one lacuna in the Bill has already been identified and that the Home Secretary has made a mess of matters in respect of gaming legislation? As we have found two Government errors in the space of two and a half hours, is it not reasonable to anticipate that the danger of the procedure recommended by the Government is that several further errors will be discovered—but only when it is too late?

Mr. Forth: I agree with the thrust of what my hon. Friend says; it would certainly be too late in this place, if the House passes the motion—as I fear we must anticipate. The Government will wheel in the terracotta army; they will go through the Lobby—I was going to say "like sheep", but that might be rather an unfortunate description at present—and, no doubt, the motion will be passed. However, I can hold out this hope to my hon. Friend: the more errors, lacunae and cock-ups that are identified in the Bill at present—we have already had a hint of some and, no doubt, more will emerge during the next few hours—the greater will be the incentive for another place to look at length and in depth at the matter, in order to carry out the job that we have been denied the opportunity to do. That is my fervent hope.

6.5 pm

Mr. Peter Viggers (Gosport): I am shocked by the motion. The proposed legislation is extremely complicated. My reading of the selection made by the Chairman of Ways and Means is that 50 amendments will be discussed during different stages in the passage of the Bill. It will be completely impossible for the House to give those amendments proper consideration. How can we think otherwise than that politics is in disrepute if the House is treated in that manner?

In this week's edition of *The House magazine*, I read the thoughts of some Members who will be leaving the House at the next general election and was struck by the fact that all of them said that the House had changed—and changed for the worse—and that Parliament was being treated with contempt. Yesterday, I held a conversation in the Corridor with a Cabinet Minister, who shall be nameless. I said, "I was pleased to see you sitting in the Chamber for a few minutes earlier, because it's good to see Cabinet Ministers supporting their junior Ministers—if only briefly—when legislation is going through the House, but you weren't there for very long". To which the Cabinet Minister replied, "I can't sit in there, we have a country to run".

Surely, the place for elected Members of Parliament and Ministers is in the House, if they can find the time to be here. It is shocking that the Government routinely introduce timetable motions on significant issues that should be debated at some length.

Sometimes, we are accused of creating artificial obstacles and of seeing artificial problems when we urge that legislation should be given more time. However, on many occasions during my long period of membership of the House, constituents and others have written to me at, perhaps, Third Reading stage or even when legislation has been passed, pointing out that they had not appreciated the significance of the measure and asking us to do something about it. Quite often, the answer is, "No, we can't do anything about it, because it has already been passed."

The individual Members of Parliament who contribute to debates on measures are not the only people who should be part of the discussion process. There should be a decent interval between the introduction of a Bill, its consideration on Second Reading, in Committee, on Report and Third Reading, so that people outside the House who may be affected by the legislation have a decent opportunity to consider it, discuss it with others who are concerned and to make representations through their Members of Parliament. My experience is that legislation is often improved by the representations made by trade associations, by individuals and by bodies such as the Hansard Society, who are concerned about our democracy.

I am not aware that any of my colleagues has urged that we should rise for the Easter recess on Tuesday. Like other hon. Members, I receive criticism about the long Easter break—I see no reason for such a long break. I see no reason, either, for legislation to be pushed through in such a precipitate manner. It is bad government and the Government should be ashamed of pushing the measure through so hurriedly. In my experience, that will lead to mistakes that we shall regret. The Government should be ashamed that they have introduced the motion.

6.10 pm

Mr. Nick Hawkins (Surrey Heath): In winding up for the official Opposition on this important debate on the Government's extraordinary guillotine, I should like to start by looking back at what has led them to introduce such a panic guillotine motion. I go back just a couple of weeks to 21 March, when, at Prime Minister's questions, my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) asked:

"having the option to delay some local elections requires legislation quickly, is the Prime Minister absolutely sure that he will not regret later doing nothing now?"

The Prime Minister's response was very interesting, and all hon. Members ought to be remember it. He said:

"I simply ask the right hon. Gentleman this: postpone until when? For one month, two months, six months?"—[*Official Report*, 21 March 2001; Vol. 365, c. 338.]

Only a fortnight later, the Government have moved this extraordinary guillotine motion, seeking to curtail debate in a way that will, as so many hon. Members have said, lead to all the most significant parliamentary scrutiny being squeezed into no more than an hour.

When the Home Secretary moved the guillotine motion he gave a discursive and long preamble, which revealed only too clearly to all Opposition Members how embarrassed he is. We know perfectly well that he was one, in common with almost all the Cabinet, who said that he did not want to delay the local elections. There is no doubt that his reluctance to deal with the specific guillotine and the fact that he spent the vast bulk of his speech talking about other guillotines in earlier Parliaments—as the *Official Report* will confirm—reveals, once again, how uncomfortable he is at having to move a guillotine that he never wanted to introduce.

My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) pointed out all the inconsistencies in the Government's position. She rightly said that there is no justification whatever for this outrageous and absurd guillotine motion. As she said, it will hinder the interests of democracy and those of our constituents, who sent us here in the first place to hold the Government to account and to ensure that the laws passed by Parliament are in good order, well thought through and properly scrutinised.

The hon. Member for Hazel Grove (Mr. Stunell), who spoke for the Liberal Democrats, supports the official Opposition and shares our concerns. The hon. and learned Member for North Down (Mr. McCartney) raised particular concerns about how the truncated debate on the Bill will affect Northern Ireland.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), in moving his amendment, which we on the official Opposition Front Bench support, wanted to ensure that this constitutional measure receives proper debate and scrutiny. He made an extremely powerful and, in intellectual terms, an unanswerable case, as he does so often.

My hon. Friend the Member for Christchurch (Mr. Chope) referred to the opportunities that there should be to debate matters properly on Second Reading, as well as managing to catch out the Home Secretary on one of several errors in some gaming legislation, for which the right hon. Gentleman gave the wrong date.

The hon. Member for North Antrim (Rev. Ian Paisley) set out the difficulties that he has with the Elections Bill. As he rightly said, the circumstances are very different in

[Mr. Nick Hawkins]

Northern Ireland, because of the different election dates and the fact that, happily, foot and mouth does not currently affect the Province. Even more significantly, he spotted a drafting error, which the Public Bill Office had to point out to the Government.

As my hon. Friend the Member for Buckingham (Mr. Bercow) said in a powerful intervention, two errors have emerged during this short debate—one in the drafting of the measure, which refers to a non-existent Act, and the other when the Home Secretary referred to the wrong legislation in the wrong year. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said in his usual powerful contribution, there are particular dangers in the guillotine. My hon. Friend the Member for Gosport (Mr. Viggers) referred to the need for decent intervals between the stages of any Bill, so that those outside the House can contribute their thoughts and reactions.

I was considering which factor of the Government's attitude to this guillotined Bill was particularly relevant to the debate. I was reminded that so many Opposition Members have regarded this Government's version of elective dictatorship, their bypassing of all democratic scrutiny and their contempt for the House as Orwellian. It is perhaps especially important to remember one of George Orwell's greatest works. It is sadly redolent of a debate on the introduction of emergency legislation under a tight guillotine because of a foot and mouth epidemic affecting animals. It is, of course, "Animal Farm".

All hon. Members will remember that Napoleon, the leader of the pigs, changed the rules under which the others operated. Instead of "two legs bad, four legs good", as the pigs became more human, the slogan became "two legs better". That is precisely what the Government are doing in their guillotine. They interpret words in the way that suits them. They have a complete contempt for Parliament and all democratic scrutiny, and they change the rules as they go along. Truly, this is an Orwellian Government and this is an appalling guillotine, of which any Government should be ashamed.

6.16 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): We should remind ourselves that we are having this debate because of the concern, which is shared on both sides of the House, about the great suffering being caused to so many by foot and mouth disease and about the proper democratic process, of which elections are, of course, a central part. I think that that is agreed, but we find ourselves in a situation that is almost without precedent.

Frankly, postponing local elections is not a step that any of us takes lightly, but we have introduced a Bill that is generally acknowledged to be in the national interest. It is a matter of urgency because the elections were due to take place in England and Wales and, indeed, in Northern Ireland, during May. So we must ensure that there is clarity for the candidates who are standing in those elections and for the councils, which need to make the necessary arrangements for the elections and for what happens afterwards.

The need for clarity is one of the reasons why we introduced the allocation of time motion. If this House and the other place do not pass the Bill, what we shall have is an aspiration, rather than clarity about what should definitely happen. That argument must be weighed in the balance and taken seriously.

I want to comment on the argument used by the right hon. Member for Maidstone and The Weald (Miss Widdecombe), who opened the debate for the official Opposition. As she is well aware, I personally have some affection for her. Nevertheless, she occasionally has the capacity to go somewhat over the top, and others have commented on that trait. I do not think that I shall be misrepresenting her if I say that the burden of her argument, as I understood it, was that both Bills involve enormously important constitutional matters and, as such, should not be subject to a timetable motion at all. That was more or less the burden of her speech. Indeed, she was supported by the hon. Member for Tiverton and Honiton (Mrs. Browning), who is sitting next to her, who complained, on behalf of the Opposition, about a lack of consultation.

Let me examine the points that the right hon. Lady made and explain what we are doing. The Election Publications Bill will do precisely what the Conservative party requested we do. On 16 March, the hon. Member for North Norfolk (Mr. Prior) wrote to my right hon. Friend the Home Secretary. The hon. Gentleman is described in the letter as the chief executive and registered treasurer of the Conservative party, and his letter concludes:

"I look forward to hearing from you and I know that you will understand the urgency of this matter."

The subject is a matter of urgency and the chief executive and registered treasurer of the Conservative party recognises that the matter not only needs addressing, but needs addressing urgently. Those were his words.

Miss Widdecombe: Is the Minister not confusing two issues: the urgency and speed with which a Bill should be introduced and the degree of speed with which it should be carried through the House? There is common ground that both Bills had to be introduced with great urgency, but the common ground breaks up because we believe that great urgency should not be used as an excuse for no scrutiny.

Mr. Howarth: The right hon. Lady has set out an argument and is determined to maintain it in all circumstances. That is an understandable debating position to take. However, she should have listened carefully to what I said a moment ago. I said that political parties, local authorities, candidates and agents and everyone involved in the electoral process needed clarity. If we are to have clarity, it is urgent not only that we address the issue but that we get provisions on to the statute book as quickly as possible.

Mr. Forth *rose—*

Mr. Hawkins *rose—*

Mr. Howarth: I want to develop my point, but I shall give way in a minute. I ask the right hon. Gentleman and the hon. Gentleman to exercise a little patience.

Let me explain the purpose behind the Election Publications Bill. The Political Parties, Elections and Referendums Act 2000 introduced new requirements for

the posters, leaflets and so on that political parties and others use in campaigns. Those new requirements were brought into effect, along with the main provisions of the Act relating to election spending and donations, from 16 February 2001. With hindsight, that was too soon for the particular provisions covered by the Election Publications Bill. Political parties and candidates all over the country were left with insufficient time to rework their election material. They are very familiar, as we all are, with the old requirements and it is right that they should be allowed to work to those requirements for a period.

The right hon. Member for Maidstone and The Weald said that that is an important constitutional change. It is not—the Bill will put right a problem that emerged as a result of the outworkings of the Act. That is all that we are doing.

Mr. Forth: I am grateful to the Minister for his characteristic courtesy in giving way. If the matter is as urgent as he says, how was it that, although the Election Publications Bill was on the Order Paper on Monday when it could have been dealt with perfectly adequately, for some mysterious reason, the Government withdrew it and have brought it back to the House two days later under a one-hour time constraint? What sort of urgency is that?

Mr. Howarth: The short answer is that, since the Bills contain some common characteristics and cover some common issues, it was considered convenient to bring them together—*[Interruption.]* If Opposition Members will allow me to proceed, I shall come to the other point that the right hon. Member for Maidstone and The Weald made.

The right hon. Lady said that the Elections Bill had major constitutional implications and suggested that debate on it should be subject to an almost open-ended procedure. As she and the House know, the Bill will delay the date of the local elections. That is precisely what the Leader of the Opposition has been asking for, and precisely what, after due consideration, my right hon. Friend the Prime Minister decided was appropriate in the national interest. To describe that as a major constitutional change leaves the right hon. Lady open to the normal accusation that is made against her—she is again guilty of hyperbole.

Mr. Hawkins: In the light of the Minister's remarks and the fact that, in another place, Baroness Jay of Paddington has allowed for two days of debate, how can he justify the fact that the Government have provided this House only the rest of this evening for debate on the Elections Bill and only one hour for the important Bill that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) mentioned?

Mr. Howarth: My right hon. Friend the Home Secretary made the issue abundantly clear in his opening speech. Circumstances in the other place are as they are because the Opposition there are far more disciplined and better organised than they are in this House. I have a sneaking admiration for the right hon. Member for Bromley and Chislehurst (Mr. Forth), as he well knows. However, he and one or two of his colleagues have the capacity, while remaining in order, to stretch out the business of the House to sometimes ludicrous proportions. Frankly, that point has to be factored into any considerations about the business of the House.

I wish to deal with some of the arguments that have been made by Members representing constituencies in Northern Ireland. The hon. Member for North Antrim (Rev. Ian Paisley) said that the Government were planning to combine the polls in any event and that foot and mouth disease was used to provide just another excuse. That was the burden of his argument. Two separate issues are involved, and I think that he would acknowledge that.

First, we need to take a UK-wide approach to the outbreak of foot and mouth. Therefore, to defer until June elections across the UK seems to us to make sense. As the hon. Gentleman acknowledged, Northern Ireland has not been foot and mouth disease free. There has been one case, but I am sure that everyone wants to keep it at that. He is chairman of the Committee for Agriculture and Rural Development in the Northern Ireland Assembly, so I am sure that he would agree that it is important to take all the necessary precautions to ensure that Northern Ireland remains reasonably free from foot and mouth.

Secondly, although it obviously depends on when my right hon. Friend the Prime Minister calls the general election, there is a case for combining the elections. The argument for combining the two polls relates to the effect on voter turnout. There is evidence that, if two polls are conducted on one day, turnout is higher. Surely that is good for democracy.

Rev. Ian Paisley: The Minister is well aware of the regionalisation in Northern Ireland. The supremo of Europe has declared that we do not have foot and mouth disease in any council area except one. That is the legal position. He should not keep saying that we have foot and mouth disease where we do not. On voter turnout in local government elections, Northern Ireland has a good record on that compared with the rest of the United Kingdom. If the Labour party had all those people turning out to vote, it would not be changing the law.

Mr. Howarth: The hon. Gentleman is right to say that the turnout for local elections in Northern Ireland is far better than it is on the mainland, especially in inner-city areas in England and some wards in my constituency. My point is that it could be even higher.

Mr. Robert McCartney: Until Monday, it was a line-ball decision whether the Prime Minister would go ahead with the council elections on 3 May. Northern Ireland has had one outbreak of foot and mouth, and that was a month ago. Is the Minister seriously suggesting that the disease is a relevant consideration for changing the established date in Northern Ireland?

Mr. Howarth: Had the hon. and learned Gentleman exercised a little patience, I would have addressed that issue. However, before I do, let me say that I do not want to exaggerate the problem; I accept that the level of foot and mouth is very low in Northern Ireland. I am simply trying to take notice of what people are saying about keeping it that way.

Mr. Öpik: I apologise for not being present for much of the debate. I have been dealing with problems associated with foot and mouth and have returned because we were assured that the Minister would resolve why the date is to be changed in Northern Ireland. Is he going to explain why so little time has been allocated to discuss

[Mr. Öpik]

such important matters? I have a great deal of sympathy with the concerns of hon. Members who represent constituencies in Northern Ireland. He might have a plausible defence by pleading the problems of foot and mouth, but I am not sure that he can defend the time that has been allocated to discuss it.

Mr. Howarth: Having been candidates, all hon. Members must accept—even if they are not prepared to acknowledge it in public—that people who stand in elections for local government or Parliament need to be clear about the procedures involved. To be honest, if the Bills were not agreed to quickly, we would not have the necessary clarity.

As for foot and mouth in Northern Ireland, let me make the position clear. Only one case has been confirmed there and, as has been rightly said, the export ban has been eased. However, extensive precautions remain in place because of the importance of agriculture to the Northern Ireland economy, where 5 per cent. of jobs are in agriculture compared with only 1.6 per cent. in the UK as a whole. Hon. Members who represent constituencies in Northern Ireland will be aware that the Northern Ireland Minister of Agriculture and Rural Development has called for a fortress farming approach, with movement on and off farms kept to an absolute minimum. In addition, 19 road blocks are in place in and around a 10 km surveillance zone in Newry and Mourne. Although there is a low incidence of foot and mouth in Northern Ireland, the conditions that have been applied have kept it that way. Some severe restrictions on movement are still in place in the Newry and Mourne area.

Rev. Martin Smyth (Belfast, South): I appreciate the Minister graciously giving way, especially as my constituency of Belfast, South is not greatly affected by foot and mouth. Does he acknowledge that the fortress approach is to allow Northern Ireland to maintain its disease-free status? Is he suggesting that if the election were held in Northern Ireland on 16 May, that would spread the disease? It seems to me that the only foot and mouth disease is in the Chamber today, where hon. Members are constantly putting their foot in their mouth as they mix electioneering with legislation.

Mr. Howarth: The hon. Gentleman will forgive me if I do not get drawn into the implications for his constituency. As he rightly says, it is not affected by foot and mouth, except with regard to the new date for local elections. However, restrictions are in place in Newry and Mourne. Heaven forbid that the situation should get worse in coming weeks—I do not anticipate that—but there could be additional problems.

On the issue raised by the hon. Member for Montgomeryshire (Mr. Öpik), the hon. Member for North Antrim and others have raised concerns about the procedures. All arrangements for colour coding of ballot papers and so on have been considered in great detail, as has the issue of security. I am confident that measures to combat possible confusion will be implemented. In addition, the hon. Gentleman knows that the chief electoral officer goes to great lengths to ensure that ballot boxes are secure. He will continue to do that.

Mr. Grieve: I am finding it difficult to follow the Minister's logic on Northern Ireland. The Prime Minister and the Home Secretary explained the postponement of local elections in England. Their reason was not that it was impossible to have free and fair elections, but that their commitment and heavy involvement in fighting the outbreak made it difficult to concentrate on holding an election. That is not the case in Northern Ireland because the outbreak is not on the same scale.

Mr. Howarth: I can only apologise if the hon. Gentleman has not been able to follow my argument. My simple point is that Northern Ireland has a low level of foot and mouth infection. We intend it to stay that way. Despite yesterday's easement, some restrictions remain in place and the change is desirable.

The Bill has a clear purpose: it postpones for a short time elections that were due to take place next month.

Mr. Hogg: The hon. Gentleman has been good enough to be in the Chamber for most of the debate and will know that I have moved an amendment to consider the matter over two days. Will he be good enough to give the Government's response to that suggestion?

Mr. Howarth: I urge my hon. Friends to reject the amendment.

The reasons for the course of action have been fully and responsibly set out by my right hon. Friends the Home Secretary and the Prime Minister. From a practical perspective, it is possible for the elections to go ahead, but that would not be right in the circumstances. The Government are acting in the best interests of the rural community, the electorate and the nation. I commend the motion to the House.

Question put, That the amendment be made:—

The House divided: Ayes 185, Noes 320.

Division No. 177] **[6.39 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward

George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rutfley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald
(Swansea E)
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*

Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Rt Hon Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Greg Pope.

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 318, Noes 179.

Division No. 178] **[6.54 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*

Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheffd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Rt Hon Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Jim Dowd and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard

Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'hs)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Ordered,

That the following provisions shall apply to the proceedings on the Elections Bill and the Election Publications Bill *[Lords]*—

Timing of proceedings on the Elections Bill

1.—(1) On the Elections Bill, proceedings on Second Reading, in Committee and on Consideration and Third Reading shall be completed at today's sitting.

(2) Proceedings on Second Reading and in Committee shall, if not previously concluded, be brought to a conclusion at nine o'clock.

(3) Proceedings on Consideration and Third Reading shall, if not previously concluded, be brought to a conclusion at ten o'clock.

2.—(1) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put;

(b) proceedings on the Bill shall stand postponed while the Question is put, in accordance with Standing Order No. 52(1) (Money resolutions and ways and means resolutions in connection with bills), on any financial resolution relating to the Bill;

(c) on the conclusion of proceedings on any financial resolution relating to the Bill, proceedings on the Bill shall be resumed and the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(2) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Timing of proceedings on the Election Publications Bill [Lords]

3.—(1) On the Election Publications Bill *[Lords]*, proceedings on Second Reading, in Committee and on Consideration and Third Reading shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion at eleven o'clock.

(2) When the Bill has been read a second time—

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills), stand committed to a Committee of the whole House without any Question being put; and

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3) On the conclusion of proceedings in Committee the Chairman shall report the Bill to the House without putting any Question; and if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

Questions to be put

4.—(1) This paragraph applies for the purpose of bringing any proceedings on either Bill to a conclusion in accordance with paragraph 1 or 3.

(2) The Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any Amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion for a new Clause or new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, or under sub-paragraph (2)(d) in relation to successive provisions of the Bill, the Chairman or Speaker shall instead put a single Question in relation to those amendments, Motions or provisions.

Consideration of Lords Amendments to the Elections Bill

5.—(1) Any Lords Amendments to the Elections Bill shall be considered forthwith without any Question being put.

(2) Proceedings on Consideration of Lords Amendments shall be brought to a conclusion, if not previously concluded, one hour after their commencement.

6.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 5.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) a single Question on any further Amendments of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown and relevant to the Lords Amendment.

Subsequent stages of the Elections Bill

7.—(1) Any further Message from the Lords on the Elections Bill shall be considered forthwith without any Question being put.

(2) Proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

8.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 7.

(2) The Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee for the Elections Bill

9.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons in relation to the Elections Bill and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (3) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair but not yet decided, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

Subsequent stages of the Election Publications Bill [Lords]

10.—(1) Any Message (or further Message) from the Lords on the Election Publications Bill *[Lords]* shall be considered forthwith without any Question being put.

(2) Proceedings on any Message (or further Message) from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

11.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 10.

(2) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee for the Election Publications Bill [Lords]

12.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons in relation to the Election Publications Bill *[Lords]* and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (3) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair but not yet decided, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

Miscellaneous

13.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to seven o'clock; but

(b) proceedings to which this Order applies have begun before then.

(2) Proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

14.—(1) No Motion shall be made to alter the order in which any proceedings on either of the Bills are taken.

(2) No dilatory Motion with respect to, or in the course of, proceedings to which this Order applies shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

(3) No debate shall be permitted on any Motion to recommit either of the Bills (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment.

15. Standing Order No. 82 (Business Committee) shall not apply to this Order.

16.—(1) The Question on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall be put forthwith.

(2) Standing Order No. 15(1) (Exempted business) shall apply to any proceedings to which this Order applies.

(3) If the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order.

17. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.—*[Mr. Straw.]*

Elections Bill

Order for Second Reading read.

7.6 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

During debate on the allocation of time motion, I spoke in considerable detail about the reasons not only for the guillotine, but for the introduction of the Bill. I shall not repeat those general remarks now, but it might be helpful for me briefly to speak about each of the clauses.

Clause 1 provides that the ordinary local elections that were due to take place for 34 English county councils and 11 English unitary authorities on 3 May will instead be deferred to 7 June. It also provides that any by-elections to fill casual vacancies in other local authorities will take place on 7 June, instead of during the period of deferral. As I explained to the House on Monday, it is not possible to defer by-elections that are due on Thursdays before, but not including, 3 May, as they are already too far down the track.

Mr. Patrick McLoughlin (West Derbyshire): I realise that the Home Secretary will not tell us whether a general election will occur on 7 June. If an election were to occur on that date, however, would a by-election that had been deferred for a minor authority such as a town council take place if it was timetabled to occur at the same time? I ask that question because a town council by-election would not usually be permitted to occur on the same day as a general election.

Mr. Straw: The hon. Gentleman is right, as parish and town council elections are usually deferred if they are scheduled for the date of a general election. I think that they are delayed for a period of two or three weeks. I was going to explain the related provision later in my speech, but I shall say now that clause 7, which deals with consequential provision, allows orders to be made to enable town or parish council elections to occur notwithstanding the circumstances that he describes.

We have done the best trawl that we can, and it happens that very few parish or town council elections are occurring this year, as they do not usually occur in the same year as shire county elections. There are one or two areas in which new town councils are being established, and there are also some by-elections. I shall listen carefully to arguments and representations, but I will not speculate on whether a general election will occur on 7 June, although that is obviously a possible date. If a general election were scheduled to occur on that date, hon. Members on both sides of the House might decide that the deferral of parish or town council elections by two or three weeks is unacceptable. In many areas, such deferral would mean that the elections occurred in a holiday period. If hon. Members held that view, they might then request that we introduce an appropriate order. If representations are made, I will be happy to listen to them with great care. I hope that I have dealt satisfactorily with the hon. Gentleman's point.

Clause 1 also provides that a candidate who was validly nominated for the elections that would have taken place on 3 May will remain so without the need to submit fresh

nomination papers for the elections on 7 June. One of the amendments tabled by the official Opposition is, I think, based on an anxiety that the rolling register means that candidates could be validly nominated as at 3 May, but if one or other of the people who nominated them ceased to be on the register, it could appear that they had not been validly nominated for 7 June. May I say, to reassure the Opposition, that nominations for 7 June will be fully valid if they were so for 3 May, and anything that happens thereafter, such as someone ceasing to be on the register, will not be relevant to their validity. If they were valid yesterday, they will be valid on 7 June.

Yesterday was the closing date for nominations, and that will remain the case until the Bill is passed. Assuming that it is passed, people who had been validly nominated as of yesterday will be able to withdraw their nomination papers up to 15 May, and it will be open to any individual to submit new nomination papers until 10 May, which will be the closing date for nominations for any local elections held on 7 June, using the normal election timetable. The close of applications for absent votes will be at 5 pm on Wednesday 30 May.

Mr. John Greenway (Ryedale): Will the Home Secretary confirm that it is still the intention to publish the nominations list at lunchtime tomorrow? Does he not think that, even at this late stage, that should be avoided if possible? Otherwise, people will be able to judge who has been nominated in the normal course of events and then seek to put up other candidates to wreck their prospects. We all know that the nominations list is secret until it is published, which is when the nomination process has closed. The Home Secretary should give some thought to that.

Mr. Straw: Frankly, there is no way round that. The law applies until it is changed. Even if the Bill proceeds according to the time scale that the Government have in mind, it cannot become law until next Tuesday at the earliest. Meanwhile, electoral registration officers are under a legal duty, which we expect them to perform, to observe the law. I understand the hon. Gentleman's point. In practice, the intelligence in any particular ward or electoral area is such that, roughly speaking, people know who will stand at a pretty early stage. I am already the subject of endless rumours about which of the usual six or seven non-traditional party candidates is likely to stand in my constituency, whenever a general election takes place. In most cases, people will have lined up in advance of the close of nominations for 3 May. Some may not have done, but we will have to accept that.

In recognition of the fact that the local election campaign will inevitably be longer and that some candidates may already have incurred wasted expenditure, such as having leaflets printed giving the election date as 3 May, we are raising the elections expenses limit for candidates for 7 June by 50 per cent. We do not think that many candidates will have expended much money. My knowledge of how candidates in every party operate at a local election level tells me that they tend not to have their leaflets printed until late in the day, but of course some do so earlier. It is possible in small electoral divisions for people manually to change dates on leaflets.

Notwithstanding that, it would be quite wrong if, as a result of the date change, a candidate who had already lawfully spent money on abortive campaigning faced disqualification because his total expenditure was over the limit, which is why we are increasing it by 50 per cent. That figure was based not on any scientific survey but on my judgment of the maximum amount that anybody was likely to have spent at this stage in the campaign.

Mr. Nicholas Winterton (Macclesfield): I accept the good will with which the Home Secretary is tackling this difficult situation, but he is talking about his intuition. Did he take any soundings from political parties or returning officers to ascertain whether the 50 per cent. increase was enough?

Mr. Straw: I took informal soundings, but I do not want to suggest that the figure was based on anything but my judgment. We all have a nose for these matters, if I may put it that way. I did many calculations and, as the hon. Gentleman may know, the spending limit for an electoral area in county council elections is a flat rate of £240 plus 4.7p per elector, so we are not talking about huge sums. I think that a 50 per cent. increase will be satisfactory.

Mr. Paul Tyler (North Cornwall): Does the Home Secretary accept that a better, more logical argument for that welcome increase is that many candidates in rural areas will now have to use the post, and they have no free postage, as I pointed out to the Leader of the House? People who jump the gun in advance of nomination day and print their leaflets in anticipation of an election are not to be encouraged. I offer him the better argument that candidates in some areas will find it necessary but expensive to use the post.

Mr. Straw: That is a good point. It is probably better than the one that I made—but if I am asked why I decided on a 50 per cent. increase, I cannot use the hon. Gentleman's argument because I did not think of it. I shall use the original argument on which the increase was based.

Clause 2 makes similar changes in respect of the district council elections that were scheduled to take place in Northern Ireland on 16 May. It makes no reference to by-elections for the simple reason that all 26 district councils in Northern Ireland were up for election on that date, and as no by-elections need to be held within six months of ordinary elections, there are no casual vacancies that would otherwise have been filled by by-elections.

The Northern Ireland provisions were discussed in the earlier debate by representatives of some Northern Ireland parties and the Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth). It is self-evident that the bulk of the Bill is related to the Province. It takes the opportunity to bring Northern Ireland into line with the rest of the United Kingdom by providing that, if a general election and local elections fall on the same day, the polls should be combined.

Section 15 of the Representation of the People Act 1985 requires that, where two or more elections are to be held at the same time, they are to be taken together or combined. That has been the consistent practice for many years in Great Britain, but the Act was never extended to Northern Ireland. It means that if local elections and a

[Mr. Straw]

general election were to fall on the same day, the polls could not be combined, so voters effectively would have to vote twice. Polling could not be in the same room and voters would have to present themselves to polling stations twice to be issued with separate ballot papers. That does not stop elections being held on the same day, but it creates something of a pantomime in their administration.

Mr. Robert McCartney (North Down): Has it occurred to the Home Secretary that local government elections and general elections have not taken place on the same day in Northern Ireland because of the two separate and distinct methods of voting—the first-past-the-post system and proportional representation? Is it correct that the Government, for political reasons other than the foot and mouth outbreak, had in the pipeline provisions for amalgamating the two elections on the same day for the purpose of aiding some parties in Northern Ireland?

Mr. Straw: The answer to the hon. and learned Gentleman's second question is that the matter was under consideration, but no final decision had been made. This problem intervened, and a final decision was made—*[Interruption.]* That is true. The hon. and learned Gentleman asked me, and I have told him exactly what the position is.

The answer to the hon. and learned Gentleman's first question is as he anticipated: there are two systems, single transferable vote and first past the post. That has been the traditional explanation—indeed, the only real explanation—of why there cannot be combined polls in Northern Ireland. However, during the elections for the Scottish Parliament and the Welsh Assembly, the electorate in Scotland and Wales were perfectly capable of understanding that there were two separate ballot papers and two separate systems. The Scottish and Welsh elections in 1999 were held on the same day for the Parliament and the Assembly and for unitary councils, and they went off without incident. The same applied in London, where there were separate ballots, albeit under the same umbrella. As a Londoner, I had two ballot papers: one for the mayor using one election system, and another for Assembly Members using a different system.

Experience in the United Kingdom and in other countries with far more complex electoral systems shows that voters' intelligence is, to put it bluntly, not to be insulted. They understand the system, and an examination of the variations in turnout shows no correlation between the complexity of the electoral system and turnout one way or the other.

Sir Patrick Cormack (South Staffordshire): In a strange intervention, could I ask the right hon. Gentleman not to take too long? We must finish Second Reading and the Committee stage by 9 o'clock. Some amendments deal with issues of substance, are wholly in order, and have been selected by the Chairman. I urge the right hon. Gentleman to give us time to get to those amendments.

Mr. Straw: I have already cut out great swathes of my speech. The only reason I have taken any time is that I have taken interventions. I shall skip over the rest of the provisions on Northern Ireland.

Mr. Lembit Öpik (Montgomeryshire): I apologise for detaining the House, but this is probably our only chance to ask the Home Secretary certain questions. In 30 seconds, can he explain why, in the Government's judgment, we need to shift the Northern Ireland elections? We went into that matter a little during the allocation of time debate, but can he say unequivocally for the record what the reason for that shift is?

Mr. Straw: My hon. Friend the Under-Secretary of State for Northern Ireland is a much greater expert on Northern Ireland than I am, as are others. I defer to him on Northern Ireland matters—and on many others, which we need not go into. [HON. MEMBERS: "More details."] Later. As my hon. Friend explained, the change is for the convenience of electors. I do not think that electors would take kindly to polls on separate dates, but the more important issue is that of foot and mouth. These are balanced judgments, but that is why we came to that view.

Clause 6 deals with compensation. In my statement on Monday, I explained that local authorities, which are responsible for meeting the full costs of local elections, inevitably will have incurred costs in the run-up to the elections that would have taken place in May. Local authorities will be obliged to go on incurring expenditure until the Bill receives Royal Assent, which is a good reason for its quick and smooth passage. Clause 6 gives me, as Secretary of State, the power to establish a scheme to compensate local authorities for the unavoidable additional expenditure incurred as a consequence of the deferral of the elections.

Mr. Nicholas Winterton: Does the clause also cover the cost incurred by local authorities in providing polling stations when churches, because of foot and mouth, have withdrawn facilities that have hitherto been available?

Mr. Straw: I shall have to give the hon. Gentleman a reply later through my hon. Friend the Under-Secretary when he winds up the debate. The idea is that the clause should cover any necessary and unavoidable expenses caused by this delay. We do not want local authorities to be in a different position as a result of the deferral of the elections from the one they would have been in if the elections were to be held on 3 May.

In the exchanges on Monday, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) asked whether we were making provision for candidates who have had abortive expenditure because of this change to be given compensation out of the public purse. I said that I would discuss the matter with her and with the Liberal Democrats. We have looked into the issue, and I have discussed it with the right hon. Lady and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and with officials of my party.

The parties are agreed that, in the current circumstances, it would be inappropriate for candidates of registered political parties to be compensated from public funds. I think that that will have the House's approbation. I thought that it was important to look into the matter and consult, but given that some people are unquestionably in worse circumstances as a result of foot and mouth—and for reasons that the House will understand have not received compensation—I am glad that the parties have agreed to that view.

I do not intend to change the powers to provide a scheme. Clause 6(1)(a) allows for compensation to be paid to candidates. I want to keep that option open,

because although it is unlikely to be used, a farmer who has suffered grievously as a result of foot and mouth may stand as an independent candidate, and if he or she has lost money they cannot fall back on the funds of a registered party. In fairness, their claim should at least be considered. I give the House an undertaking that if I receive any such representations I will consult the other parties before making a final decision on a scheme. I hope that that is acceptable to the House.

Mr. Geoffrey Clifton-Brown (Cotswold): The Bill has arisen because of the rapidly moving events of foot and mouth. The Home Secretary has told the House that postal votes will be valid up to 30 May. In the event that an exclusion zone is declared between 30 May and 7 June, assuming the election is on that day, would he be able to give returning officers the power to issue blanket postal votes for that exclusion zone under the consequential provisions in clause 7?

Mr. Straw: I shall have to get my hon. Friend the Under-Secretary to provide a detailed answer when he winds up the debate. My guess is that the consequential provisions may allow that, because the order-making powers have been necessarily made wide. Under an earlier Bill—not the Political Parties, Elections and Referendums Bill—we have already provided, by all-party agreement, for postal votes on demand. We are putting a lot of effort into advertising postal votes on demand, including in the farming press and in the local press in the areas most affected by foot and mouth. The time for applying for a postal vote has been considerably reduced to six working days. I hope that everyone in the affected areas will, in any event, apply for a postal vote. Practical problems were involved in the time scale, given that applications must be submitted and checked and ballot papers must be sent and returned—by post—in time for the close of polling on 3 May.

I hope that I have explained the Bill.

7.30 pm

Miss Ann Widdecombe (Maidstone and The Weald): In order to allow the House to debate important amendments, I intend to be briefish. If I am not interrupted too much, I shall even be able to remove the "ish" and be brief.

As I made clear on Monday, we welcome the fact that the Government have, albeit belatedly, accepted the argument that we first presented more than two weeks ago, but if I had doubts before about the wisdom of the guillotine motion that we debated earlier, they have been reinforced by the Home Secretary's inability to reply to some of the points that were raised. It suggests to me that the Bill has not been thought through thoroughly enough. That may be understandable given the time scale that is available, but it should sound a terrible warning about the sort of legislation that we may produce when we gallop through it at such an unnecessary rate.

It is unfortunate that the Bill is being introduced only now, after the legal timetable for the elections has begun. That has undoubtedly caused confusion, and it is regrettable that the Government did not see fit to take up the offer made by my right hon. Friend the Leader of the Opposition two weeks ago.

We do not believe that the Government have got it entirely right now. In specifying a fixed date of 7 June for local elections, they have left no room for manoeuvre. They have not allowed for the possibility that the outbreak of foot and mouth disease may not be under control in at least some parts of the country by that time. We have heard the words "long haul" used in relation to the resolution of the crisis. The 7 June date seems very out of synch with the notion of a long haul.

Conservative Members do not believe that the House should work according to the arbitrary date of 7 June. We believe that further powers should be taken to allow further postponement of the elections in some areas if it is clear that the crisis is not under control.

If it took until last Friday for the Government to decide that it was not appropriate to hold elections on 3 May, it is impossible to see how they can be confident at this point that it will be possible to hold them on 7 June. Such a proposition is illogical, and smacks of panic. The Government have admitted that the scale and spread of the foot and mouth crisis has caught them by surprise. The official figures show that the epidemic continues to run out of control, and that the action to contain it has not always been adequate.

We cannot be certain today that the crisis will have been brought under control—still less that the disease will have been eradicated—by 7 June. That is why Conservative Members think that the Bill should not set 7 June in stone. In Committee, we shall table amendments providing for an alternative procedure.

I am not saying that it is necessarily impossible to hold elections on 7 June; I am saying that we cannot rely on the fact that it will be possible to do so. It is clear from the Bill itself that the date has been chosen not because the local elections need to be held within a month of their original date, or because it is foreseeable that the crisis will be under control by then, but simply because the Prime Minister wants to hold a general election at the earliest available opportunity, despite the fact that the Government's term of office still has more than a year to run. When I hear Ministers talking about "putting back the election", I have to remind them that there is no question of putting it back; they are desperate to bring it forward, by as much as a year.

My right hon. Friend the Leader of the Opposition has proposed four objective tests to determine whether the foot and mouth epidemic is sufficiently under control for elections to be justified. They are replicated in our amendment. They require the time between the reporting of a new case and the time of slaughter to have been reduced to 24 hours or less, geographical spread of the disease to have been reversed, movement restrictions to have been lifted from most farms and the trend in new cases to be clearly and sustainably downward. We shall return to that issue later—at least I hope we shall, the guillotine permitting.

On Monday, the Home Secretary told the House:

"We judge that, in terms of practical arrangements, polling in May would be possible and would produce fair results."

He cited the wider availability of postal votes, saying that

"telephone canvassing is now a key way in which voters in rural and urban areas are contacted by candidates".—[*Official Report*, 2 April 2001; Vol. 366, c. 21.]

Does the Home Secretary accept that there may be practical difficulties on 7 June, even with postal voting? Can he state categorically that all farmers in affected areas are able, and will be able, both to send and to receive post? Is it not the case that some cannot, because they are

[Miss Ann Widdecombe]

confined to their farms? I raised the points about postal voting with the Home Secretary in a written question for answer yesterday, but as of today—the day on which we are being asked to consider the Bill—no such answer has been provided.

Does the right hon. Gentleman also accept that telephone canvassing may not reach rural electors, either because they have no telephones or because their numbers are not publicly available? What assessment has he made of the implications of increased telephone canvassing for candidates in affected areas who may be operating on tight budgets, notwithstanding the increase in the expenditure limit for which the Bill provides?

The date of 7 June may also pose practical problems for candidates who are themselves farmers, and who live in restricted areas. My right hon. Friend the Leader of the Opposition raised that point last month and I repeated it on Monday, but as yet we have received no response. How does the Home Secretary propose that such people should proceed if the outbreak is not under control by 7 June?

I should be grateful for a precise response from the Home Secretary, or from the Minister who winds up the debate, to another point that has been raised. Concern is rising in schools, because many are used for election purposes and 7 June falls in the middle of the GCSE period. That could cause considerable difficulties, and I should be glad to know what thought the Home Secretary has given to it. If he has given no thought to it—which would be entirely in character, given his response to other issues that have been raised—I hope that he will do so.

In response to the Home Secretary's statement on Monday 2 April, I raised the issue of compensation for candidates who may have, in good faith, spent large sums on election literature that is now inaccurate, or contains the wrong date, as a result of the Government's tardy change of mind. The Bill provides for a compensation scheme to compensate both individual candidates and registered political parties for their expenditure on such literature. I am grateful for the right hon. Gentleman's further consideration of the matter, and thank him for consulting both me and the Liberal Democrats.

Conservative Members believe that the scheme should be restricted to independent candidates, and that candidates from registered political parties should not benefit from it. We also believe that criteria for the scheme should identify a clear threshold for the claiming of compensation by independent candidates, and that it should apply only when there is a significant probability of such candidates' not being able to mount a campaign in the run-up to 7 June because they have already spent their resources on material that will have to be destroyed, and are unable to raise fresh funds.

Because of the Government's guillotine, other issues—besides that of the arbitrary date—may never be debated. There is, for example, the issue of proposers, seconders and assenters, and the issue of the rolling register. The Home Secretary mentioned that in his speech; but there are also issues of detail. I do not think I heard the right hon. Gentleman deal with another anxiety that we have expressed, relating to whether the deadline for meetings of police and other authorities to which councils nominate members is being extended. A further issue is the update of the rolling electoral register, which is due next month and which is important to all political parties. Because of a lacuna in the relevant regulations, some registration officers are apparently unwilling to provide parties with updates.

I hope that the Home Secretary is laughing at an aside, rather than at the worries of electoral registration officers. If he concentrates, he may find out about things that he has not considered. That will make the parties' position at a June election even more difficult.

Mr. John Bercow (Buckingham): The Home Secretary is still not listening.

Miss Widdecombe: No, he is not.

We tabled a new clause to deal with the issue, but unfortunately it was not selected for debate in Committee, so I should be grateful to hear how it will be dealt with.

The Opposition support the principle of the Bill.

Mr. Nicholas Winterton: Does my right hon. Friend support the provision of free post for local government candidates on this occasion? Although there may be difficulties in getting post to and from farmers, it is important that every elector knows who is standing in the local authority concerned. Without an election address, how will it be done, as canvassing in many rural areas is out of the question?

Miss Widdecombe: There will be areas in the run-up to 7 June—there are such areas now—where it will not be practical to deliver mail. Therefore, serious consideration should be given to a free post for candidates, at least in those areas. Again, we have raised that matter but have not received a definitive answer.

Mr. William Ross (East Londonderry): Perhaps the right hon. Lady should ask the Under-Secretary of State for Northern Ireland whether there is a free postal drop at council elections in Northern Ireland.

Miss Widdecombe: I could ask the Under-Secretary that question, but if he responds in the same way as the Home Secretary—

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): As the hon. Member for East Londonderry (Mr. Ross) knows full well, for reasons mainly to do with the security situation in the past in Northern Ireland, local government candidates have a free post.

Miss Widdecombe: Therefore, it can be done and is done in some parts of the United Kingdom. Why should it not be done in areas that have been unusually affected by a crisis so great that it has caused the postponement of the local elections? I would be grateful for an answer. If there are some insuperable difficulties that we have not seen, I would be grateful to know what they are. I would be glad if the Home Secretary tried to convince us about some of those things, instead of brushing them aside.

As I have said, we support the principle of the Bill. I look forward, more in hope than in faith, to constructive discussions about the issues that I have raised and about others that will come up during the Committee

proceedings. I have kept my speech to half the time that the Home Secretary took. I hope that the same spirit will be observed on the Labour Benches before we get to Committee.

DEFERRED DIVISIONS

Mr. Deputy Speaker (Mr. Michael Lord): I have now to announce the result of the Divisions deferred from a previous day.

On the question of Northern Ireland, the Ayes were 350, the Noes were nine, so the question was agreed to.

On the question of waste electrical and electronic equipment, the Ayes were 346, the Noes were 126, so the question was agreed to.

On the question of social security, the Ayes were 435, the Noes were 38, so the question was agreed to.

[The Division Lists are published at the end of today's debates.]

Elections Bill

Question again proposed, That the Bill be read a Second time.

7.44 pm

Tony Wright (Cannock Chase): I shall detain the House but briefly.

Inside the House, we are not supposed to be uncertain about things, but I was one of the Members who was genuinely uncertain about whether it was necessary to move the election date. I was not persuaded that foot and mouth was the greatest crisis that this country had experienced since the second world war and that this extraordinary action was therefore required, but at the same time I was impressed with the way in which the Prime Minister clearly felt that it was right—*[Interruption.]* The right hon. Member for Maidstone and The Weald (Miss Widdecombe) laughs, but it is a serious consideration. The Prime Minister felt that it was right to respect sensitivities and to do something that he was not inclined to do. That should be respected.

If the Opposition—they have now provoked me—could make such decisions, they would be introducing the Elections (Indefinite Postponement) Bill. That would be the short title: the long title would say, "Until we have a new leader, new policies and some more support". We know where they are coming from, but the Government have taken an extraordinary decision.

My only reservation about the Bill and the proposed postponement is that I am not sure that it is the job of politicians to decide when elections should be held. It is a fairly fundamental point, and it is what we are being asked to do now. We are being asked to do so because there is a joker in the pack, which is that there has to be a general election on the day of the local elections. I say "has to": there is going to be one. *[Interruption.]* If that comes as a revelation to hon. Members, I should tell them that there will be a general election on 7 June. *[Interruption.]* We will see what happens. Opposition Members will see whether they are right, or whether I am right.

Sir Nicholas Lyell (North-East Bedfordshire): Will the hon. Gentleman confirm that, as a matter of law, there does not have to be a general election until 3 June 2002?

Tony Wright: Indeed. Many voters believe that they are voting for five-year Parliaments, but the average length of a Parliament since the second world war is three years and seven months, so four years has come to be the rough working average. That fact guides all our assumptions. The joker in the pack, if we are honest with ourselves, is the fact that there has to be, or it is believed that there has to be, a general election on the same day as the local elections, and that there is to be a general election on 7 June. All those things have to be put in the pot, and as a result local elections are being postponed to the date of the general election. That is the fundamental point.

Mr. Nigel Waterson (Eastbourne): Does the hon. Gentleman at least accept that, as a common-sense proposition, it would have made sense, once it began to be mooted that the local elections might have to be shifted, to prepare a contingency Bill or set of regulations? Equally, does he not think that it makes sense for the Government to build flexibility into the Bill in case his absolute assurances about 7 June prove not to be practical?

Tony Wright: I have a slightly different approach. I understand the hon. Gentleman's approach, but my approach is to question whether these matters should be in the hands of politicians at all. The question of when elections should be held is of fundamental constitutional importance. It is a constitutional fixture and politicians should not be able to get their sticky fingers on it. That would be viewed as an outrage in most other constitutional democracies, but we believe that it is entirely normal that we can mess around with such things at whim. We juggle all sorts of political considerations that have consequences and complications, which the Bill aims to tackle.

At one time, the Labour party was on the path of righteousness on these matters. Up until 1992, it believed that such decisions should not be in the hands of politicians. Indeed, its 1992 election manifesto said:

> "No government with a majority should be allowed to put the interests of party above government, as the Conservatives have done. Although an early election will sometimes be necessary, we would introduce as a general rule a fixed parliamentary term".

That was right then and it is right now. Apart from the fact that we are now in office, I am not sure why we have moved from that position. When we were setting up new Parliaments in Scotland, Wales and Northern Ireland, we stayed on the path of righteousness and provided for fixed terms.

We introduced the Political Parties, Elections and Referendums Bill—a good measure that sought to control spending in a pre-election period. It is much harder to do that if one does not know when the election is to be.

Mr. Mike Gapes (Ilford, South): I cannot understand my hon. Friend's logic. He argues that there should be a fixed term, but this deferral of the local elections is clearly

[Mr. Mike Gapes]

a breach of that. Is he saying that a fixed term should never be varied, or that the current proposal is not acceptable?

Tony Wright: I am saying that we have the Bill in this form, on this date, because the considerations that are being juggled are not the narrow considerations in the Bill but the wider considerations of choosing the date for a general election.

Mr. Gapes: No.

Tony Wright: If my hon. Friend does not know that, where is he? Perhaps we should pretend to ourselves that that is not the case, but we do a disservice to the people whom we represent if we maintain that pretence in public.

On the extraordinarily exceptional occasions when a fixed election might have to be moved, are politicians the best people to make the decision? We have just established an Electoral Commission—another excellent thing—and these are pre-eminently the circumstances, when an extraordinary event occurs that suggests that a constitutional fixture might have to be moved, when such an independent commission, operating on grounds of public interest, not of short-term, narrow political advantage, should be brought into play.

Sometimes, out of disaster, good sense breaks out. I hope that, as the House considers the Bill, we will heed the argument for taking the setting of election dates away from politicians and putting it into the hands of someone who can safeguard the public interest.

7.52 pm

Mr. Don Foster (Bath): My hon. Friend the Member for Hazel Grove (Mr. Stunell) made it clear in an earlier debate that the Liberal Democrats totally oppose the way in which the Government are handling the Bill. The way it is being rushed through the House is nothing short of a constitutional disgrace. I agree with the remarks made in that debate by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), when he described it as a scandal.

I agree entirely, however, with the right hon. Member for Maidstone and The Weald (Miss Widdecombe) that the principle of the Bill should be supported. The Liberal Democrats believe that the Prime Minister was faced with an enormously difficult decision and that the decision to defer, taken after due reflection, was the right one.

The only point on which I fundamentally disagreed with the hon. Member for Cannock Chase (Tony Wright) was when he rather implied that the Prime Minister had made that decision on a whim. The whole House will have welcomed the hon. Gentleman's refreshingly honest speech, which contained much common sense and a great deal with which all Liberal Democrats would entirely agree, since we have long argued for fixed electoral terms. With characteristic honesty, he also said that there will certainly be a general election on 7 June—"Trust me, I'm a politician." I am entirely convinced that he will be proved right.

I want to refer to some amendments that, because of the shortness of time, we will not have time to discuss in Committee. If the right hon. Member for Maidstone and The Weald persists with the amendments suggesting that the delay could be not simply to 7 June but to any one of a number of different dates, and that those dates could be different in different parts of the country, she will certainly get no support from the Liberal Democrats. The notion of having local government elections on different dates in different areas strikes us as frankly crazy. It would be unfair to certain groups of electors and wholly impracticable.

I suspect that the Government share that view. I am grateful that they have quickly produced the new election timetable, but I note, as my hon. Friend the Member for Hazel Grove did, that it had to be rapidly revised 24 hours after its original publication.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Foster: As ever, I will happily give way to the hon. Gentleman, whose interventions I always so much enjoy.

Mr. Bercow: I am very grateful to the hon. Gentleman. We are at an early stage in our deliberations, and he need not have been quite so generous to me. I suggest, however, that it would be unwise for him to worship at the altar of 7 June. I understand his point on different dates for elections in different areas—although I do not agree with it—but does he accept that for the Government to insist on that date, and to die in the ditch for it, is both arbitrary and capricious?

Mr. Foster: No, I do not. I am delighted, incidentally, that the hon. Gentleman said that I was being too generous in giving way to him. As that was the first intervention in my speech, I will bear that in mind the next time he tries for a third or fourth intervention, as he so often does when I speak in other debates.

It is important that the delay be a relatively short one, because it would do democracy a huge disservice if there were to be continuing uncertainty about the date of the local government elections. Conservative Members have tabled amendments pointing out that we need greater clarity about the dates of other events, such as the annual meetings of police and fire authorities. I am sure that they would agree that there must be clarity about when the local elections are to be, and that only in extreme circumstances—perhaps those in which primary legislation is required—should we contemplate any further delay beyond 7 June.

I want to make a few remarks about Northern Ireland, as I fear that we will not reach the amendments tabled on the issue. It is important that the Government should be given the opportunity to make further comments about the situation in Northern Ireland before the Bill goes to another place. I hope that the Minister will say something about the possibility of both elections—general and local—being held on the same day, and the arrangements that would be put in place for that. The Under-Secretary of State for Northern Ireland said that he was absolutely confident on the security issue, but I do not think that that confidence is widely shared in the House. Undoubtedly other hon. Members will wish to comment on that matter.

There are huge questions, for example, about who will have legal responsibility for the verification of ballot boxes in a joint election. People will want an answer to

that question. Quite legitimate questions are also being asked about the arrangements for postal votes. It appears that, if a dual election were held on 7 June, postal voting arrangements for the two elections would be different. Such arrangements could cause great confusion, so plans need to be put in place quickly to sort them out.

Mr. Öpik: Would my hon. Friend welcome a reassurance that the proposed arrangements will not leave the door open to increased electoral malpractice in the Province?

Mr. Foster: I am sure that every hon. Member would like to be absolutely assured by Ministers that every conceivable arrangement is being made to avoid malpractice in Northern Ireland and in every other part of the United Kingdom. I hope that the Minister will give us clear assurances on those issues. I hope that he will also give us clear assurances that there will continue to be consultation with the relevant body on those issues.

When the Minister replies to the debate, I hope very much that he will be a little more convincing about the foot and mouth aspect of delay in Northern Ireland. I was slightly surprised by another outbreak of honesty when the Minister said that the measure is about increasing voter turnout at the elections. Although I am greatly in favour of measures to improve voter turnout, I do not think that that objective can justify changing the agreed date of an election. Although increased turnout as a by-product of the change is welcome, the decision for the change must be based on the foot and mouth outbreak.

I have various quick questions for the Minister, which he may be able to answer in his reply. There is some confusion about whether the Bill will make the necessary change to the Local Government Act 1972, which specifically provides that county councillors' term of office shall be for four years. That term will clearly be altered if the Bill is passed, but I have seen no reference to that alteration in the Bill. May I have an assurance that the issue is being addressed?

The right hon. Member for Maidstone and The Weald mentioned the use of schools for the later election. We noted with interest the Home Secretary's statement that local authorities' expenses will be allowed if they were unavoidably incurred because of the electoral delay, but not if they were caused by the foot and mouth issue. So although the legislation may not deal with church buildings, which were mentioned earlier, presumably it will deal with the issue of finding alternative premises to schools that are being used for GCSEs. There may be some confusion about that issue and it would be helpful if we had some clarification on it.

I hope very much that the Government will accept the amendment tabled by the right hon. Member for Maidstone and The Weald on changing the date of the police and fire authority annual meetings. We will definitely join Conservative Members in the Lobby to vote on the change if the Government do not accept the amendment.

I was delighted that the Home Secretary gave us a very clear assurance on the validity of nominations in relation to the rolling electoral arrangements.

Local councils will face another problem because of the delay. The Minister will be well aware that, under the Local Government Act 2000, it is anticipated that, by the end of June, local councils will have to submit detailed proposals on their new ways of working. Given the difficulties that many councils face, not only with foot and mouth but with the delayed elections, would it not be appropriate to extend that time?

I am absolutely delighted that the Home Secretary has accepted the principle that the Liberal Democrat leader, my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy), was advocating yesterday and which others now support—that it would be absolutely inappropriate in the current circumstances to consider providing compensation to candidates. It would be totally wrong to provide compensation and small sums to them when so many other people are not only losing great sums and incurring huge expenses but losing their livelihoods.

I was disappointed, however, that the Home Secretary still seems to believe that it might be appropriate for independent candidates to receive compensation. A possible inference from such compensation is that the registered political parties should cover the expenses of their candidates. Very often, those expenses are paid out of pocket by the individual candidate, whether he or she is a Labour, Conservative or Liberal Democrat candidate. I think that the same arrangement should apply to independent candidates and that no compensation for the delay should be given to any candidate. Nevertheless, I welcome the 50 per cent. increase in the election expense limit.

Liberal Democrat Members support the Bill in principle, although we hope that it will be amended as I have described. Nevertheless, as I said, we accept that the Prime Minister had a difficult decision to make and that the legislation must now be rapidly enacted. Subject to our support for those amendments, we shall certainly give the Bill our full support.

8.7 pm

Mr. David Winnick (Walsall, North): Deferment of the local elections is precisely what Opposition Members were demanding. Reference has already been made to the fact that, some time ago, the Leader of the Opposition said that the local elections should not be held now because of foot and mouth disease. Conservative Members are therefore hardly in a position to vote against Second Reading. Although I realise that they have said that they will not vote against it, in view of their consistent comments, they really could not vote against it.

We can imagine what Opposition Members would be saying if the elections had gone ahead on 3 May and, two days ago, the Prime Minister had announced a general election. They are concerned and afraid of a general election, not local elections, because of longstanding substantial Labour leads in the opinion polls. If the Prime Minister had said that there would be both local elections and a general election on 7 June, Conservative Members would have said that he was putting party before Government. Today, they would be throwing around that accusation rather debating as they are.

Mr. Waterson: Does the hon. Gentleman not understand the very simple distinction between an election whose date is fixed by statute—the local elections—and

[Mr. Waterson]

the date for a general election, which is entirely at the whim of the Prime Minister and does not have to be called for at least another year?

Mr. Winnick: I heard what my hon. Friend the Member for Cannock Chase (Tony Wright) said about another year, but I was here in the 1980s—

Mr. Bercow: When there was no foot and mouth.

Mr. Winnick: Both 1983 and 1987 were years in which elections were held before their time, and not one Conservative Member argued then that there should not be a general election. I doubt whether it would have been any different if there had been a foot and mouth outbreak. Labour Members did not welcome a general election on either of those dates, but we never argued that the then Prime Minister should not call one. The decision was up to her.

If circumstances were different and Conservative Members were generally confident that they could win a general election, they would not ask for a deferment of the local elections. On the contrary: they would say that democracy must go ahead. They would argue that the Prime Minister had no reason to alter the previously fixed date for the election and they would urge that the general election take place.

Before foot and mouth came on the scene, there was no demand from the Opposition regarding the general election. That is why I argue that Conservative Members are terrified of a general election and that they will use any excuse to defer it for as long as possible until the five years of this Parliament are up.

Mr. Gapes: Does my hon. Friend recall that, at the height of last September's fuel protests, the Leader of the Opposition at one point—when the opinion polls temporarily indicated an improvement in the Conservative party's performance—called for an immediate general election? Is it not interesting that that call should have disappeared?

Mr. Winnick: I remember that very well. What my hon. Friend says strengthens my point.

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Winnick: In a moment. If there were any possibility that the Conservative party might win a general election instead of suffering another humiliation, there would be no question of deferring any election, national or local.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I should remind the hon. Gentleman that the Bill is not about a general election. It is about the deferment of the local elections.

Mr. Winnick: Thank you, Mr. Deputy Speaker. I give way to the hon. Member for Surrey Heath (Mr. Hawkins).

Mr. Hawkins: Given that, as Mr. Deputy Speaker has just pointed out, we are discussing the deferment of the local elections, is not the hon. Gentleman's argument torpedoed by the fact that all political commentators in all newspapers predict sweeping Labour losses in the local elections?

Mr. Winnick: The Tories fear the general election, not the local elections. I accept what you said, Mr. Deputy Speaker, of course. I shall simply repeat that the Tory party is demonstrating, beyond any doubt, its hypocrisy and opportunism. As my hon. Friend the Member for Ilford, South (Mr. Gapes) said, Conservative Members were only too willing for a general election to be held last year, when there was the slight possibility that they might win. They have exhibited utter hypocrisy about deferring the general election. Of course they do not want it on 7 June. They want it deferred, if possible to next year. We understand their reasons very well.

8.13 pm

Mr. David Trimble (Upper Bann): I hope to produce the shortest speech in the debate so far, as I have just a few points to make about the Bill.

As you, Mr. Deputy Speaker, pointed out, we are dealing with the postponement of the local government elections. However, there is a background to the debate, as was pointed out by the hon. Member for Cannock Chase (Tony Wright). We all know what that background is.

I think that the Prime Minister was right to decide not to go to the country on 3 May. It would have been feasible to do so, but would it have been wise? The foot and mouth epidemic is a serious crisis, and to have proceeded with the election would have appeared insensitive to the problems being experienced by people in many parts of the country.

There is widespread speculation that the Prime Minister hopes to hold the election on 7 June, rather than 3 May. Either date would mean that the general election would be held within two or three weeks of local government elections in Northern Ireland. That would not be desirable.

It has happened twice before—in 1997, and on an earlier occasion—that local elections in Northern Ireland and a general election have been held close together. It is not a good idea to have two such elections within a few weeks of each other. In 1997, the local government elections were held just over two weeks after the general election, and turnout suffered significantly.

The Liberal Democrat party has argued that it would not be a good idea to have the general election and the local government elections in Northern Ireland on the same day. I suspect that that argument was being advanced on behalf of the Alliance party, which does not want a large election turnout. It hopes to slip some candidates into office on an indifferent turnout.

I welcome elections, and the more people who vote in them, the better. When two elections come close together, the sensible and commonsense response is to hold them on the same day. That is what the Bill will achieve. Consequently, I think that it is right in principle.

Unfortunately, however, the Bill has been introduced very quickly. We understand the reasons for that, but a number of technical matters have to be considered. One of the disadvantages of the present arrangements is that they will not allow sufficient time to look at those matters. It is a bad mistake by the Government not to provide more time.

A significant number of hon. Members have much knowledge, practical experience and expertise when it comes to elections. If any group of people is fit to consider the details of election, it is the Members of this House. I wholly disagree with the hon. Member for Cannock Chase in that regard. Members of Parliament are elected to safeguard the public interest, and the suggestion that unelected people would be better guardians of the public interest is objectionable as a matter of principle. However, I shall not pursue that further.

It is a pity that we do not have more time to look at the details. If all points cannot be dealt with tonight, the Government must ensure that they are pursued in another place.

Finally, I want to make one general point. There are a lot of elections in the United Kingdom now—for Parliament, local government, the regional Assemblies and the Scottish Parliament, and for Europe. Various terms and dates govern those institutions. It would be worth giving serious consideration to the election timetable, and to the interaction between elections.

In addition, it would be worth while to give serious consideration to the state of the statute book on elections, which is in a mess. What we are doing today is likely to add to that mess. There is a serious need, therefore, to look at electoral law in the United Kingdom as a whole, with a view to producing a simple, consolidated Act to deal with the matter. At present, it is very difficult to know precisely what the law is.

I have made clear my points of principle, so I shall bring my speech to an end, thus achieving the feat of sitting back down on the Bench before my name appears on the annunciator screen.

8.17 pm

Mr. Mike Gapes (Ilford, South): It is a pleasure to follow the right hon. Member for Upper Bann (Mr. Trimble), and to say that I agree strongly with most of what he said, and especially with his last point. We need to look at the election statute book relatively soon. The matter is complicated, in Northern Ireland and elsewhere. I represent a London constituency, and there are no elections in London this year. However, the capital has its own electoral cycle, with borough elections every four years, followed every two years by elections for the Mayor and Assembly. It is a complicated arrangement.

I want to raise a more difficult question. I understand why the decision to defer has been taken, but I am a London MP, and the only wildlife in my constituency consists of urban foxes or the escaped rabbits that the foxes eat. There are no farms in my area, and life there has not been affected by foot and mouth in any way at all. That is true for the vast majority of people, parliamentary constituencies and local authorities in the UK. However, my right hon. Friend the Prime Minister and the Government have taken the decision because a significant minority of the country is badly affected by the crisis.

The decision to postpone elections is a serious matter. I do not want to have to do it again. Sometimes, democracy has to be conducted in difficult circumstances. I was an observer with the Organisation for Security and Co-operation at the elections for the Russian Duma on 19 December 1999. I was in a place called Barnaul in western Siberia. The temperature on polling day was minus 27 deg. They had something there which we do not have but might consider for future elections—a mobile ballot box. It is put on a heavy vehicle with chains and big wheels and goes to the most remote farms. People who are lying in their sick bed, have bronchitis or have difficulty in walking are able to participate in an election with the assistance of that device, even in those very harsh climatic conditions.

We do not have extremes of climate. We have postal votes, and our systems of mass communication are much more sophisticated. So the arguments for deferral must be carefully weighed. I do not support any move for an indefinite deferral. It causes many problems for local government and it sends the signal that democracy in local government and society is not important.

I am afraid that I disagree strongly with my hon. Friend the Member for Cannock Chase (Tony Wright). I do not believe that the judiciary, or some collection of the great and the good from academia, should determine how our political system should function. We must take responsibility for making the decisions, and we should suffer the consequences if we make the wrong ones. It is a cop-out for democratic politicians to say that these decisions are nothing to do with us and that others will decide on our behalf. That is not why I am in politics, and I do not think that Members of this House should, if they think about it, take that approach either.

I referred in my intervention on my hon. Friend the Member for Walsall, North (Mr. Winnick) to the views expressed by the putative Prime Minister, the Leader of the Opposition, last September. I have drawn attention to that in early-day motion 488. The Conservative party is playing a very opportunistic game, and it is bizarre. On the one hand, Conservative Members call for an early general election; on the other, they want the indefinite postponement of local elections and presumably take the view that the general election should be put off as long as possible. That was not the view taken by Margaret Thatcher in 1983, after four years of a Parliament, or in 1987, after four years of a Parliament. It was not the view taken by Harold Wilson in 1970, although he got it wrong. He was ahead in the polls, but he lost. In our society, Governments that are popular and have a large majority go to the country early. That is a basic rule. Governments that are unpopular and in trouble hang on until the end.

I should like to conclude with a little anecdote.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Gapes: Not at the moment. I should like to tell my story.

I worked at Labour party headquarters in the 1970s. In 1978, I was the national organiser for Labour students. I was at a National Union of Students training conference at Nottingham university in September 1978 when I received a telephone call from Transport house saying that I should return to London for a meeting at No. 10 Downing street the following morning at 10 am. I was told not to tell anybody, so I assumed that the then Prime Minister, now Lord Callaghan, was going to announce the election that day and that he would go on television to address the nation.

All the students piled into the television room at Nottingham university, waiting for the announcement. I knew that it would definitely happen because I had been told to come back to London the next morning.

[Mr. Gapes]

The Prime Minister came on the television and said that there was no election, he was carrying on and he had a job to do. I spent the next 40 minutes frantically trying to find someone to speak to who could confirm whether the meeting was on, because I had to get the train to London that night. No one was available.

I got the train to London, went to my office where I saw a big notice on my desk saying "Sorry. Meeting cancelled." The general secretary of the Labour party, Ron Hayward, had phoned all the people who were out of London to get them back because he was convinced, in September 1978, that the general election would be called by the Prime Minister.

That shows how personal the decision is. It indicates to me that it is a very difficult decision. Therefore, my hon. Friend the Member for Cannock Chase is wrong. We do not know when the general election will be, because none of us is privy to the Prime Minister's thoughts on the day that he makes that decision. It is a personal decision that he will make. None of us can assume that the election will be held on any particular date in the future.

Mr. Deputy Speaker: Order. The hon. Gentleman has put me in a dilemma. I thought that I could not rob the House of his punch line, but I must now remind him that this is an embroidery well beyond the terms of the Bill.

Mr. Gapes: I am very grateful, Mr. Deputy Speaker. I therefore conclude my remarks.

8.25 pm

Sir Patrick Cormack (South Staffordshire): I always wondered how they had invented the spin doctor, and now I know. If that was the father of spin doctors, no wonder they wanted to get away.

I happen to agree with the hon. Member for Cannock Chase (Tony Wright). I believe in fixed-term Parliaments. Every other body in this country is elected on a fixed-term basis, and it would be sensible if the Government were as well. However, as you have reminded us, Mr. Deputy Speaker, that is not what we are discussing.

We are discussing the date of the county council elections. I called for them to be postponed even before my right hon. Friend the Leader of the Opposition made that call. I believed that it was the right thing to do because, as a Member representing a constituency that has foot and mouth, I see at first hand the real agony and anguish that this terrible disease is causing in the rural community. It was right and proper for the Prime Minister to take the decision that he did, and it is right and proper that Parliament should pass this legislation. I deeply regret the way in which it is being rushed through, however, because it contains issues of substance and there are amendments to it on the Order Paper.

I rose to speak, Mr. Deputy Speaker, only because it looks as though we shall not have the privilege of addressing you as Sir Alan later on, because the proceedings on Second Reading and the remaining stages must be concluded by 9 o'clock. As there are winding-up speeches to be made from the Front Benches, it seems that we will not have a chance to discuss the amendments.

For me, one issue above all is of substance. That concerns the date. If the Prime Minister was rightly concerned last week that the epidemic was not under control, I do not for the life of me understand how he can be confident of knowing by 10 or 14 May—which I believe is the very latest date for another postponement—that 7 June will be a clear day. That is why I strongly support the move, and I tabled an amendment to that effect, which was selected, to give ourselves the opportunity by affirmative resolution to come to both Houses of Parliament and defer the date again to another date perhaps in June, or perhaps to defer the date in certain parts of the country. I readily accept that it may be appropriate to have county council elections on 7 June in Lincolnshire whereas, sadly, it may not be appropriate to have them in Staffordshire and it almost certainly would not be appropriate in Cumbria or Devon.

The fundamental mistake that the Government have made in drafting the Bill is not to have allowed themselves and the House flexibility—an escape clause so that they could change the date without having to go through the rigmarole of primary legislation yet again. If we had incorporated a provision such as that outlined in my amendment or that tabled by my right hon. and hon. Friends on the Front Bench, we would have built flexibility into the measure.

We are denying ourselves, those whom we represent, and those whom the county councillors will represent a real opportunity. Sadly, Mr. Deputy Speaker, you did not hear the admirable brief speech made by the hon. Member for Cannock Chase (Tony Wright). He said that the Prime Minister was clearly seeking to orchestrate two elections on one day. My hon. Friend the Member for Surrey Heath (Mr. Hawkins) made it plain from the Front Bench that Conservative Members were not apprehensive about the results of the county council elections. We are most anxious to have them. All the pundits predict that they are likely to result in significant gains for my party. We look forward to that enormously. It is because the Prime Minister knows that and does not want to go to the country in a general election against that background that he is trying to put the two elections on one day. In advancing the argument for fixed terms, the hon. Member for Cannock Chase hit the nail on the head. He is right.

Others wish to speak, so I will not say any more save to appeal even at this late stage to the Minister. The Bill has to go to another place so, although there will not be a Committee stage in this House this evening, perhaps there will be one in another place. I urge the Minister to amend the Bill to reflect the spirit of my amendment and that tabled by my right hon. and hon. Friends. That would give flexibility to Government and Parliament to move the election date if, sadly, this terrible disease is still ravaging the countryside.

Those of us who went today to the presentation arranged by the Minister of Agriculture, Fisheries and Food and listened to the experts know that the disease is not under control yet. I devoutly hope that it will be on 7 June, but I have real doubts. So I say to the Minister, please, please, heed these pleas and put some flexibility into the Bill before it reaches the statute book.

8.32 pm

Mr. Nicholas Winterton (Macclesfield): I shall be extremely brief. I warmly welcome the Bill in principle, although I have some concerns about it. Unlike some of my colleagues, I believe that there is a need to put the Bill through quickly because we have a statutory duty,

if the local elections are to be postponed, to specify the new date on which the local elections are to be held. Unlike my hon. Friend the Member for South Staffordshire (Sir P. Cormack), I believe that the House has a duty and a responsibility to specify another date when they are to be held. To leave it open would be unconstitutional and most unsatisfactory.

I have to say to the Minister, and perhaps here I share the views of my hon. Friend the Member for South Staffordshire, that I am not sure that 7 June is right. However, we clearly need to specify another date. I was at the briefing session to which my hon. Friend referred. It is clear that the daily number of cases of foot and mouth could peak in the second half of the local authority election campaign and perhaps even that of the general election campaign. If the Government's chief scientific adviser is to be heeded, in the worst scenario the number of cases could peak at more than 400 cases a day around 21 May. That clearly causes concern.

I want to ask specific questions. The Minister will be aware that I said earlier that in my area at least one parochial church council—Eaton council in the south of my constituency—had said that it was not prepared to make the church hall available as a polling station in the immediate future because it had concerns about the countryside, farming and the foot and mouth crisis.

My local authority will incur additional expenditure in administering the election. Will the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), assure me that local authorities will be properly reimbursed for necessary, additional expenditure incurred in carrying out our democratic procedures for local elections? At this stage, I make no reference to a general election that may or may not also be held on 7 June.

I am also concerned that, in many areas of my constituency, farmers will not be able to get off their farms and candidates will be unable to canvas and to introduce themselves to farmers. As several new candidates are standing for Cheshire county council in my area, how are electors to know all the candidates for whom they will have an opportunity to vote? Serious consideration should be given to allowing one free postal delivery for county council election candidates—if not to the country at large, at least to those parts of the countryside where severe restrictions and exclusion areas will prevent the operation of the normal democratic process.

I feel deeply concerned about that matter. I myself cannot call on many of my farmers at present, because I do not want to risk spreading that dreadful virus—the foot and mouth disease that affects so much of our countryside. Although many people may say, "The countryside is open", I point out to Ministers who highlight that fact and have recently used that expression time and again, that many people who have direct or indirect association with the farming community—especially the livestock farming community—do not want visitors to the countryside, irrespective of the losses that may be sustained both for that community and allied industries and businesses.

The Government have a unique opportunity to show good sense and a full understanding of the problems experienced in the countryside due to the foot and mouth restrictions. If the Minister could at least give an indication that the Government might consider making provision in the measure for a free postal delivery for local election candidates—especially in areas affected by foot and mouth—I should be delighted. From the Government's point of view, that would show a true understanding of democracy and of the need for everyone to have the opportunity not only to know their local authority candidate, but to go out and vote on polling day.

8.38 pm

Mr. Peter Robinson (Belfast, East): I am inclined to accept the Prime Minister's judgment on delaying the local government elections in England and Wales. That is all the more relevant because—as it had clearly been the right hon. Gentleman's intention to hold on the same day the local government elections and the general election, for which polls showed that he was significantly ahead—such a delay might have been considered something of a sacrifice. However, I oppose the proposition that the local government elections in Northern Ireland should be linked to that delay. Those elections were to be held not on 3 May, but on 16 May.

I was surprised to read the element of the Bill relating to Northern Ireland. When the Prime Minister made his announcement and was interviewed outside No. 10 Downing street, he was immediately asked by Ken Reid of Ulster Television about the possible implications for Northern Ireland. The Prime Minister replied that, because Northern Ireland was in the second category—namely, that there had been an incident of foot and mouth, but no reoccurrence—it was important to return to normality as quickly as possible. One might have concluded, therefore, that normality would involve going ahead with what was normal—an election on 16 May. Having listened during this debate and the previous one, I have heard nothing from those on the Government Front Bench that would support their decision to postpone the election in Northern Ireland until 7 June.

Foot and mouth disease is not the reason for the postponement. The Under-Secretary of State for Northern Ireland is inaccurate in saying that there is a low level of the disease in Northern Ireland. There is no foot and mouth disease in Northern Ireland. There was one incident of a republican smuggler who tried to make money on the side and caused havoc around the border in the Republic and in Northern Ireland, but there has been no recurrence. Indeed, the Government successfully argued in Europe that there was no foot and mouth disease in Northern Ireland, so let us remove that from the possible reasons why they have taken this decision.

Of course the Government might argue, although they cannot do so publicly, that they want the postponement because they did not want to have two elections on 7 June, given the likelihood of a general election. As the right hon. Member for Upper Bann (Mr. Trimble) said, that has happened on several occasions in the past, with higher turnouts than normal in Great Britain, even if the elections were not on the same day. So the Government cannot use that argument.

I was somewhat surprised to hear the right hon. Member for Upper Bann say that he looks forward to elections, because he has been trying to ban the local government elections in Northern Ireland. He has said that they should be put off altogether and that there should be a review of local government for a year or two before holding them. However, he comes to the House and has the audacity to say that he wants to hold elections and is

[Mr. Peter Robinson]

looking forward to them. Well, I am looking forward to the elections in Northern Ireland and, irrespective of whether they are held on 16 May or 7 June, the people are looking forward to the opportunity to speak at the ballot box.

On the Minister's response, it is fully clear that the Bill has been introduced for a political purpose. The Government believe—wrongly, I think—that it will be a boost to the right hon. Member for Upper Bann and to the Social Democratic and Labour party, but they will, in effect, ensure that the local government elections in Northern Ireland will be overshadowed by the issues relevant to the Westminster election. Therefore, people will come out for the local government election, as well as for the Westminster election, to deal with the key issue in Northern Ireland—the Belfast agreement—and on that argument, the right hon. Member for Upper Bann will undoubtedly lose.

Clearly, we shall have no opportunity to speak in Committee, so let me say that I should have been interested to find out from those on the Government Front Bench why on earth they have included subsections 2(2) and 2(3). Nomination day in Northern Ireland would not have taken place until the end of April or the beginning of May, by which time the Bill will be law, so no one can be nominated and, therefore, subsections 2(2) and 2(3) are superfluous. The matters that concern my colleagues and me greatly are those that relate to the schedule.

Mr. William Ross: Has the hon. Gentleman not noticed that the only possible reason for those provisions is that the Bill will become permanent legislation? It will not die, so it can be applied if a similar situation ever exists in future, and I believe that it will not be very good legislation.

Mr. Robinson: If that is the case it is very sad indeed. The right hon. Member for Upper Bann did not tell the House that the very good reason for not holding a local government election and a Westminster election on the same day in Northern Ireland is that there are two different electoral systems. That will cause untold confusion at the polling stations, especially for elderly people. On one hand, people will have to vote with a cross in the Westminster election and, on the other, they will have to select their first, second or third choice and beyond in the local government elections. There will undoubtedly be significantly more spoiled votes as a result of holding a dual election for Westminster and local government. So I hope that these provisions will not be used in the future, although the hon. Member for East Londonderry (Mr. Ross) may well be right about the Government's intention.

I particularly ask the Government to reconsider the leeway that they will give to returning officers under new rule 46A. They want to let the returning officer determine whether to open the ballot boxes in either the local government or Westminster elections and remove the stray ballot papers from the other election. That should not be left to the judgment of returning officers; they should be required to do that. However, under the new rule, they simply "may" do that. That is not good enough, particularly in a local government election under proportional representation when two fifths of a vote have, in the past, made the difference between one candidate and another being elected. In addition, a handful of votes could decide a Westminster seat, so such flexibility should not be built into the Bill.

I wish to allow those on the Front Benches the opportunity to wind up but, finally, may I express my concern that the oversight that counting agents should be entitled to have over the opening of ballot boxes is not a requirement under the Bill. Indeed, in a hole in the corner, someone might be able to open up the ballot boxes and tamper with their contents. Oversight should be permitted and counting agents should be allowed—arrangements should be made for this—to see the opening of the ballot boxes. That is essential, and returning officers should be given instructions to ensure that that happens.

Although the inclination of my colleagues and I would have been to vote against the Bill's Second Reading because we are opposed to those elements of it that relate to Northern Ireland, we are prepared to forgo that opportunity rather than take up the further time that such a Division would cause.

8.46 pm

Mr. Nick Hawkins (Surrey Heath): Because of the ridiculously short time allowed by the guillotine and the fact that we want the Minister to answer some of the important questions that have been raised on Second Reading, I shall be extremely brief. I will not have the opportunity to comment in any detail on a number of the interesting issues that have been raised. However, I repeat something that my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said in her opening remarks. When the Prime Minister weighs all the factors in the balance, as he said he would have to do in answer to my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) on 21 March, the Government will not be able to offer any certainty that the position on the terrible foot and mouth epidemic will be any better in June than in May.

My right hon. Friends Members for Maidstone and The Weald and for Richmond, Yorks have said that flexibility should be built into the Bill so that the date of local elections can be reconsidered depending on when the disease is genuinely under control. Four objective tests should also be applied.

First, the standard time between the report of a new case of the disease and the slaughter of the animals in question should be 24 hours or less. At present, we know that, sadly, the backlog of animals waiting to be slaughtered and waiting to be buried after slaughter is growing. The second objective test is that the geographical spread of the disease has been reversed. The Government cannot say with confidence that the position will be any better in June than in May. The third objective test is that movement restrictions should have been lifted from most farms, and the final test is that the trend in new cases of the disease is clearly downward, rather than upward as it tragically still is.

There is so much more that Opposition Members could say but, given the limitations on time and the fact that we must have answers from the Minister, I shall incorporate everything that my right hon. Friend the Member for Maidstone and The Weald said in my conclusion. Her comments remain just as valid at the end of the debate as they were at the beginning.

8.48 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I express my gratitude to the hon. Member for Surrey Heath (Mr. Hawkins) for the brevity of his remarks. I hope that that will allow me to reply to many of the important points that have been raised in what has been a good debate. It raised serious questions, but I am grateful to hon. Members for their broad agreement that it would not be appropriate to hold elections in England and Wales, at least, on 3 May. I also thank Members in other parties for the support that they have offered for the proposal that we should defer the local elections until 7 June. I appreciate that there were concerns about those issues, some of which I hope to address.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) raised several significant matters. She mentioned that GCSE examinations take place in June, which might have implications if local government elections take place on 7 June. It is difficult to choose an election date because it always coincides with another event, such as factory holidays. The Conservatives faced that choice when they were in government and decided to hold elections in June 1983, June 1987 and June 1970. Each time, they had to take account of the fact that examinations were being conducted in schools.

We are certain that acting returning officers showed admirable flexibility on those occasions and will do so again. They have the resources and ability to prepare for elections, and can ensure that locations for polling stations do not interfere with the ability of young people to take their examinations. I am sure that acting returning officers will put contingency plans into effect as the need arises. Examinations are often staged in only part of a school's premises and it may well be possible for the polling station to be moved to a different area in the school. The issue is important. We have considered it and believe that we can rely on acting returning officers to deal with the problem.

The right hon. Member for Maidstone and The Weald and the hon. Member for Macclesfield (Mr. Winterton) raised the issue of free mailshots, to which we gave careful consideration. If I may spare the hon. Gentleman's blushes, he made a statesmanlike speech. The difficulty is that if we have mailshots in areas that are affected by foot and mouth, it will be incumbent on us to provide the same facility to other people across the country. Different issues arise at different times in different places. It would be difficult to say that the circumstances are so unique that free mailshots should be given in one area rather than another. We would have to consider giving the facility to all candidates and people would ask why, if we could do it this year, we could not do it next year. We need a longer time scale in which to consider free mailshots, although I realise that the hon. Gentleman presents a problem that we face now.

The right hon. Member for Maidstone and The Weald said—perhaps she should consult *Hansard* on this—that some areas are not having post delivered and they should have free mailshots, which slightly defeats the point. I think she meant that there are difficulties in delivering post in some areas because it cannot be taken to the door. However, farms are making alternative arrangements—such as providing a facility at the end of the driveway—to collect their post. By and large, mail is being delivered, so it is possible for someone to take a leaflet to those places without going across a restricted area. Having considered circumstances in my constituency, I think that it would be possible to hand-deliver leaflets. If the expenses are raised as the Government propose, there is a facility for some mailshots to be sent by post by the candidate of a person's choice.

Sir Patrick Cormack: Will the hon. Gentleman reconsider his decision? Special consideration is being given to parts of the country during the foot and mouth crisis. I am sure that an exception could also be made for postal deliveries.

Mr. Mike O'Brien: We have considered that carefully and I cannot reassure the hon. Gentleman that we will give it further consideration. I heard what he said; the Government always try to listen on such issues. However, we have considered the matter carefully and I think that we have a settled position.

The right hon. Member for Maidstone and The Weald raised a number of issues. First, on meetings of police authorities, the power in clause 7 will allow us to make an order to postpone the date on which police authority annual meetings have to be held. I hope that that provides reassurance.

Mr. David Heath (Somerton and Frome): Will the Minister give way?

Mr. O'Brien: I will but, given the limited time and the large number of questions that have been asked, it is the last time that I shall to do so.

Mr. Heath: While the hon. Gentleman is dealing with police authorities, will he confirm that the Police and Magistrates' Courts Act 1994 specifies a four-year term for members of a police authority? Will that be dealt with in consequent legislation?

Mr. O'Brien: Indeed, that issue was raised in our debate, and I am coming on to it. The period for which councillors and others are elected depends on the re-election of others. The fact that we are postponing the elections enables councillors to retain their position; we are advised in law that that is the case and we will be safe to continue to allow councillors and members of police authorities and other organisations to retain their position as councillors for the month between 3 May and 7 June, so that the election can take place. If the hon. Member for Somerton and Frome (Mr. Heath) wants me to write to him and set out the details, I am happy to do so—*[Interruption.]* I will do the same for his hon. Friend the Member for Bath (Mr. Foster).

I was asked about the updating of electoral registers. That is a significant issue which we are still examining. It is outside the scope of the Bill, but we shall consider the point made by the right hon. Member for Maidstone and The Weald. The hon. Member for Macclesfield asked whether the Bill allows for compensation to be paid in cases in which churches cannot be used. Compensation will be paid to local authorities for the additional expenditure incurred as a result of the postponement of

[Mr. O'Brien]

the local elections; we will have to provide guidance on the detail of that, and I hope that it will deal with the sort of points made by the hon. Gentleman. Compensation would not be used in relation to churches; it would be available for local authorities regarding the extra costs that they incur.

I am grateful to the right hon. Member for Upper Bann (Mr. Trimble) for supporting the Bill and the decision to postpone local elections. He proposed a single consolidated Bill to deal with all elections; that is an interesting thought on which I shall reflect. I am also grateful for the support of the hon. Member for Bath, who spoke for the Liberal Democrats. He asked a number of questions, the first of which was a request for more information on local government elections in Northern Ireland. I can provide reassurances in addition to those provided by my hon. Friend the Under-Secretary of State for Northern Ireland. Returning officers are experienced in operating more than one election on the same day, as happened in 1997, so, even if a general election were called to coincide with local elections, we are confident that electoral officers will run fair polls and, as we heard earlier, that the electorate will cast separate votes at the same time.

I was asked who will verify the ballot boxes if—

Rev. Ian Paisley: On a point of order, Mr. Deputy Speaker. Will the Minister instruct the House accurately? He has just quoted an incident and said that two elections took place in one day. That is not true at all.

Mr. Deputy Speaker: Order. That is a point of debate, not a point of order for the Chair.

Mr. O'Brien: I heard what the hon. Member for North Antrim (Rev. Ian Paisley) said, and I will check—*[Interruption.]* I am briefed that that occurred, but my hon. Friend the Under-Secretary of State for Northern Ireland has told me that the briefing may have been inaccurate, so the hon. Gentleman may well be right. May I check and write to the hon. Gentleman to clarify the matter?

Time is running out for me to deal with other points made by hon. Members. The points raised were important. I do not accept the argument of the hon. Member for South Staffordshire (Sir P. Cormack) that we do not need certainty: we do need certainty about the date of the local government elections. I agree entirely with his hon. Friend the Member for Macclesfield that Parliament has said in the past that it requires certainty. That is why we have a specific date—

It being Nine o'clock, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order [this day],* That the Bill be now read a Second time.

Question agreed to.

Bill read a Second time, and committed to a Committee of the whole House, pursuant to Order [this day].

Further proceedings stood postponed, pursuant to Order [this day].

ELECTIONS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (1)(a),

That, for the purposes of any Act resulting from the Elections Bill, it is expedient to authorise—

(a) the payment out of the Consolidated Fund of any increase attributable to the Act in the sums so payable under any other enactment;

(b) the payment out of money provided by Parliament of the Secretary of State's expenditure under any provision of the Act relating to compensation.—*[Mr. Jamieson.]*

Question agreed to.

Bill immediately considered in Committee, pursuant to Order [this day].

It being after Nine o'clock, THE CHAIRMAN *put the Questions necessary for the conclusion of proceedings in Committee, pursuant to Order [this day].*

Clause 3

COMBINATION OF POLLS

Amendment made: No. 21, in clause 3, page 2, line 24, leave out first "(1)" and insert "(1A)".—*[Mr. Jamieson.]*

Schedule

NORTHERN IRELAND: MODIFICATION OF ELECTION PROVISIONS

Amendments made: No. 22, in page 7, line 36, leave out—

'Schedule 1 to the Elections (Northern Ireland) Act 2001)'

and insert—

'the Schedule to the Elections Act 2001)'.

No. 23, in page 11, line 7, leave out—

'Schedule 1 to the Elections (Northern Ireland) Act 2001)'

and insert—

'the Schedule to the Elections Act 2001)'.—*[Mr. Jamieson.]*

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3, as amended, ordered to stand part of the Bill.

Clauses 4 to 8 ordered to stand part of the Bill.

Schedule, as amended, agreed to.

As amended in the Committee, considered.

Mr. Deputy Speaker (Sir Alan Haselhurst): We now move to Report stage. Mr. Speaker has arranged for a paper to be available in the Vote Office and it is being circulated. A number of manuscript amendments have been tabled for Report. Copies of the amendments and Mr. Speaker's provisional selection are available, as I mentioned, in the Vote Office and around the Chamber. For the convenience of hon. Members, the numbering refers also to the numbering of amendments on the Committee amendment paper.

New Clause 1

FURTHER POSTPONEMENT OF ELECTIONS UNTIL FOOT AND MOUTH DISEASE UNDER CONTROL

'(2A) The Secretary of State may by order made by statutory instrument appoint a day later than 7th June 2001 to which the elections mentioned in subsections (1) and (2) are to be postponed

if he is satisfied that the outbreak of foot-and-mouth disease is not under control in a particular local authority area; and different days may be appointed for different local authority areas.

(2B) For the purposes of subsection (2A), the outbreak of foot-and-mouth disease is "under control" when:

(a) the standard time between the report of a new case of the disease and the slaughter of the animals in question is 24 hours or less; and

(b) the geographical spread of the disease has been reversed; and

(c) movement restrictions have been lifted from most farms; and

(d) the trend in new cases of the disease is clearly downward.

(2C) An order made under subsection (2A) shall not be made unless a draft of the order has been laid before, and approved by, each House of Parliament.

(2D) An order made under subsection (2A) may include such consequential, transitional or supplementary provision as the Secretary of State considers appropriate, and in particular may include provision for the postponement of a local government election to fill a casual vacancy which falls to be held after 7th June 2001 but before the day appointed in the order.'.

Brought up, and read the First time.

Mr. Hawkins: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 1, in clause 1, page 1, line 3, at beginning insert—

'Subject to section [*Further postponement of elections until foot and mouth disease under control*],'.

No. 2, in page 1, line 6, at beginning insert

'Subject to section [*Further postponement of elections until foot and mouth disease under control*],'.

Mr. Hawkins: New clause 1 has been deliberately drafted in as similar a form as possible to amendment No. 13, which was not reached in Committee. That further reinforces the argument that the guillotine imposed by the Government was ridiculously short. We did not debate any of the 50 amendments in Committee, and there were still hon. Members who wanted to speak on Second Reading when the wind-up speeches started, despite attempts by right hon. and hon. Members to be brief.

Our new clause suggests that the Secretary of State should by order made by statutory instrument appoint a day later than 7 June 2001 to which the elections mentioned in clauses 1(1) and 1(2) are to be postponed if he is satisfied that the outbreak of foot and mouth disease is not under control in a particular local authority area. Different days may be appointed for different local authority areas.

As I said in my wind-up speech on Second Reading, our view is that there should be four objective tests by which it could be established whether the terrible disease is genuinely under control. We all remember that the Minister of Agriculture suggested that the disease was under control at a very early stage, but he was patently misleading the country. It soon became clear that he had to apologise to all farmers and citizens for making those comments.

The Opposition suggest that four objective tests should be satisfied before a decision can be made. Those tests are set out in subsection (2) of the new clause. First proposed subsection (2)(a) would require that

"the standard time between the report of a new case of the disease and the slaughter of the animals in question is 24 hours or less".

Sadly, as we have heard, hundreds of thousands of animals are not being slaughtered in time. Often, even those that are slaughtered are not buried in time.

Secondly, the new clause proposes that a decision on elections should be made only if

"the geographical spread of the disease has been reversed".

Unfortunately, we know that the geographical spread is getting wider. Thirdly, the new clause would require that

"movement restrictions have been lifted from most farms".

That condition is certainly far from being fulfilled at the moment, and there is little or no prospect that it will be more likely to be fulfilled in June than at the beginning of May. The fourth proposed test is that

"the trend in new cases of the disease is clearly downward."

In addition to those provisions, the new clause suggests that the Bill should allow the making of orders that

"may include such consequential, transitional or supplementary provision as the Secretary of State considers appropriate, and in particular may include provision for the postponement of a local government election to fill a casual vacancy which falls to be held after 7th June 2001".

Mr. Eric Martlew (Carlisle): Can the hon. Gentleman explain why a by-election was called in Carlisle after foot and mouth disease was discovered in Cumbria? The Conservative candidate in the election is the agent of the right hon. Member for Penrith and The Border (Mr. Maclean).

Mr. Hawkins: I understand that the hon. Gentleman is sensitive about the prospect of further political losses in his constituency. Of course, he represents a city constituency in which, as I recall it, his party made sweeping losses and mine made sweeping gains.

However, we are debating serious proposals that would provide the flexibility that is needed. We know that neither the Prime Minister nor any other Minister can say with confidence that the position on foot and mouth will be any better in early June than in early May. That is why the new clause is so vital. We believe that the Bill should provide the flexibility for the Government to think again.

I know that many hon. Members wanted to speak on Second Reading about the postponement period, but were unable to do so. As this debate is also subject to a ridiculously short guillotine, it is incumbent upon me to be brief. We want a number of questions to be answered, but I anticipate that other hon. Members will want to speak about the new clause and amendments, so I shall conclude my remarks.

Mr. Hilary Benn (Leeds, Central): I want briefly to comment on the new clause, which goes to the heart of the argument about flexibility that featured during our Second Reading debate. I hope that in doing so the hon. Member for Buckingham (Mr. Bercow), who is not in his place, will not regard me as a craven lickspittle, which was the phrase he used when we were discussing the allocation of time motion a little earlier today.

[Mr. Hilary Benn]

As my hon. Friend the Member for Ilford, South (Mr. Gapes) said on Second Reading, postponement of fixed-term elections is a serious matter that should be contemplated only in very serious circumstances. I think that there is consensus throughout the House that foot and mouth constitutes such a circumstance, especially in some parts of the country. I am afraid, however, that I cannot support the new clause for two reasons.

First, there has to be a balance of judgment about the degree of delay. Although it is proper for consideration to be given to the problems that are created by foot and mouth, there is an argument about normality. One of the powerful cases made by the Opposition in debates and on statements about foot and mouth recently is about the need to return a sense of normality to the rest of the country, particularly for the tourism industry. It is reasonable to weigh up the balance between the problems that foot and mouth creates and the need for normality, given that we are taking a serious step in proposing to postpone fixed-term elections.

The second issue is one of principle, and it is my real objection to the new clause. If we are to defer fixed-term elections, there should be absolute certainty about the date to which we propose to postpone them. I do not think that we should pass legislation that makes it easier for any Government, even one whom I support, to return to the House and say that they wish to postpone the elections further.

Sir Patrick Cormack: Does the hon. Gentleman realise that the only reason for our tabling the new clause is that the Government have chosen 7 June, a perilously close date on which it is likely, on all predictions, that the foot and mouth epidemic will still be at its height? If the Government had chosen a significantly later date, the hon. Gentleman would not need to make this speech.

Mr. Benn: I take the hon. Gentleman's point, but this is a question of judgment and I think that it is reasonable to delay the elections until 7 June. We are debating the new clause, however, and the problem is that it would mean that if the Government could argue that the four objective tests on foot and mouth disease—with great respect, I must say that some of them are rather subjective—had not been met, they would have the power to postpone the local government elections until any date they cared to name, with no end date. That cannot be right, and for that reason the House should not support the new clause.

Mr. Don Foster (Bath): I entirely agree with the hon. Gentleman. I would go further and say that it is vital for democracy that there be a clear date for the elections and that it should not be long after the original date of 3 May. As I said earlier, consideration of any further delay should take place only in an extreme case.

There are two other reasons why the new clause should not be accepted. It allows for the possibility of different election dates in different parts of the country. Elections might be delayed in some council areas but go ahead in others, and that would lead to many problems. It would significantly erode the democratic principle. People in areas where elections were delayed would know what had happened in elections in other parts of the country. That raises all sorts of questions about the national campaigning that takes place during local elections impacting on some parts of the country but not on others.

The new clause is based on a spurious attempt to suggest that there are clear, objective criteria for defining when foot and mouth disease is under control in a particular and, in some cases, small area. Four standards are proposed. Do hon. Members believe that in some of the relatively small council areas that we are talking about it would be possible to make a clear, objective judgment about whether, for example, the geographical spread of the disease had been reversed in that area?

The new clause smacks of a Conservative party that is concerned about the success of candidates in a particular area. Some Tories may try to argue that the disease has not been reversed in their council area, whereas others who expect to do well will suggest that it has been reversed. I do not believe that there can be clearly defined, objective criteria on when the outbreak is under control. Such criteria could possibly be provided on a nationwide basis, although I have reservations about that, but I do not believe that that could be defined for small areas. We need a clear and specified date that is relatively soon.

9.15 pm

Mr. Waterson: It is interesting that the hon. Gentleman seems to share the Prime Minister's obsession with 7 June as a date for the elections. How bad would circumstances have to be for his party to argue in due course that the 7 June date is inappropriate?

Mr. Foster: I have already made it clear that I believe that the Prime Minister made the right decision to defer the timing of the election for a short period. The foot and mouth outbreak would have to be significantly worse than predicted, and worse than it is likely to be, before I would even remotely contemplate supporting a further delay. The democratic process is vital. I hope that the hon. Gentleman agrees with me that, if we continued to delay week after week and month after month, we would create uncertainty and it would send out a clear signal that this country was closed for business. That would have a serious impact on small businesses and the tourism industry, about which many people are concerned.

For the three reasons I have given, I hope that the House will reject the amendment, and that we will still have some time for a Third Reading debate. That will enable the Minister to answer the many points that have been put to him, but to which he has not had time to reply.

Mr. Jimmy Hood (Clydesdale): I want to put the point of view from my constituency. It is a huge rural constituency in Scotland, and is one of the 10 largest—it is more than 600 square miles. I well understand the reason for this legislation, and the dilemma that the Government and the Prime Minister were in last week. I did not envy him his task in making that decision, and I do not envy him having made it. I support his decision, because he made it in the national interest. He certainly made it in the interest of a huge rural constituency that contains a large farming community and an equally large tourist industry.

The decision was fine, and it had to be made. We had to strike a balance, and give priority to dealing with the foot and mouth outbreak while looking after the national interest, the general economy and the tourist industry in particular.

Having said that, now that we have had to change the date of the elections, and because there is an understanding, an inference or an assumption that there may also be a general election on 7 June, I believe that it was a missed opportunity to consider turnouts in general elections, which is of interest to right hon. and hon. Members on both sides of the House.

I could be accused of having a self-interest in what I am about to propose. I tabled an amendment to move the date of the elections from 7 to 10 June. I had two reasons for doing that. First, it would enable us to see whether we could improve the turnout by having elections at weekends instead of mid-week. My second reason was out of self-interest. We have an honourable tradition in my constituency on the Thursday in June known as Lanark Lanimer day. That may sound like a local or constituency issue, but people come home to Lanark and Clydesdale from all over the world to attend the celebrations, and they have been cancelled on three or four occasions. They had to be postponed on 11 June 1987, the day on which I was elected, and that may happen again this time.

Mr. Tyler: Perhaps I can reassure the hon. Gentleman. The last general election took place on 1 May, a date on which people from all over the world come to Padstow in my constituency for the "'obby 'oss" celebrations. On that occasion, we simply told everyone that their votes would count more if they reached the polling stations before 11 am, because after that time they might be—in one way or another—incapacitated. It worked like a dream: we had a 60 per cent. poll by 11 am.

Mr. Hood: I am not sure whether the hon. Gentleman is saying that he supports my wish to protect Lanimer day in Lanark on 7 June, but I assure him that it is impossible to organise such a day in my constituency and deal with a general election at the same time.

I made that point from a constituency point of view. I strongly support the way in which the Government are dealing with the crisis in the rural communities. I hesitate to criticise our media, but let me issue a sincere and constructive criticism. The media are the first to tell politicians when we are talking down the national interest, and the first to lecture us in that regard. It is important for them to report the facts, but I have seen the same cows burn for three weeks on the same television station. I have seen the same pictures of corpses that were killed and disposed of three or four weeks ago. Throughout the media, an image is being presented that is far worse than the reality.

I believe that the Government are dealing with the situation as best they can, and that that is acceptable. Our media should be responsible: they should report the facts, but they should also support the Government's action in looking after the national economy and saving our rural communities and the tourism industry in those communities. If they do so, they will serve not only the democracy that we are discussing, but industry and the country.

Mr. Gerald Howarth (Aldershot): I congratulate my colleagues on new clause 1, although I do not think that it is perfect. I am sure they will accept that, and also accept the argument of the hon. Member for Leeds, Central (Mr. Benn) that it contains an element of open-endedness. It is always less than desirable for the House to place too much power in the hands of the Government of the day, especially this Government. I am looking at the Minister now. We know how well the Government can abuse the power that resides in their hands if we do not hold them to account.

Having said that, I still believe that my colleagues have done the House a service in drawing up, in a very short time, a detailed new clause that seeks to address the real problem we face. Although the Bill is designed to deal specifically with local elections, in my case the Hampshire county council elections, all Members of Parliament know—and, even if we are not prepared to acknowledge it, everyone outside the House knows—that what we are talking about is, potentially, the date of the next general election. There is no point in our deceiving ourselves in that regard.

I think that what we are doing by means of the new clause is helping the Government, particularly the Prime Minister and the Home Secretary, to fulfil the commitment that they gave the country on Monday. We know that the whole country was geared up—certainly, the media and the party political machines were—for local elections on 3 May. We know that plans had been made for a general election, but there was grave disquiet in the country. If we as politicians had been seen to be putting ourselves first and failing to give 100 per cent. effort to the campaign to eradicate the tragic disease of foot and mouth, which is causing such misery and anguish in rural communities, the Government would have paid a heavy penalty at the polls, local and national. It was for that reason that the Prime Minister made a judgment, assisted by Mr. Trevor Kavanagh and the right hon. Member for Hartlepool (Mr. Mandelson) no doubt, that such was the gravity of the situation in our rural communities that the local elections at least should be put off.

The point that I want to make is not a novel one; it has been made by my right hon. Friend the Leader of the Opposition. If the Government follow the logic of their argument, they have impaled themselves and boxed themselves into a corner—if I may mix my metaphors—by inserting 7 June in the Bill.

On Monday, the Home Secretary told us that there was a need, as the hon. Member for Clydesdale (Mr. Hood) said, to keep the country open. The Home Secretary went on:

> "On the other side of the equation, however, is the need for national and, in some areas, local politicians to be focused on the fight against foot and mouth disease as the necessary machinery to deal with any eventuality is put in place; and the feelings and sensitivities of people in the communities most severely affected by that dreadful disease."—[*Official Report*, 2 April 2001; Vol. 366, c. 21.]

By the mechanism of the new clause, my right hon. and hon. Friends have provided four objective tests. I submit that those tests are a darn sight more objective than the five economic tests that the Government have set up as Aunt Sallies for the scrapping of the pound, and they are four reasonably objective tests. Clearly, they are not 100 per cent. watertight, but, if come the beginning or middle of May there is still no improvement in the terrible foot and mouth epidemic, how on earth can the

[Mr. Gerald Howarth]

Government possibly proceed with local elections and—the subtext—the general election? The same conditions will apply that applied on Monday when the Prime Minister gave his presidential address outside No. 10 to tell the nation rather than the House that he was putting the national interest before party interest.

We are trying to help the Government because if there is no significant improvement, if the tests are not met come 4, 5, 8 or 14 May, the Prime Minister will be left marooned on a sandbank. He will have no get-out by which to postpone the elections on 7 June. Far from being in the interests of the Conservative party, the new clause offers the Government a way out. It certainly offers the Prime Minister—we know how resentful most of his Back Benchers are at his solo decision—a way out.

The hon. Member for Leeds, Central identified the risk in the new clause. That is a risk that the Opposition are prepared to accept. We believe that it would be wrong to put party before country. We must put country first and not party. The duty of politicians is to focus our every endeavour on eradicating the disease. The Opposition have by the new clause provided a mechanism by which the Government can do that.

If the Government do not accept the new clause, and the epidemic does not relent, they will stand accused of having failed to listen to the arguments and to take advantage of a flexible mechanism by which they could have continued to bend every sinew to ensure that the disease was eradicated, rather than committing themselves irrevocably to holding a series of local elections, and indeed a general election, on 7 June.

9.30 pm

Mr. Denis MacShane (Rotherham): I am happy to follow the hon. Member for Aldershot (Mr. Howarth), because the debate is in part about something dear to his heart: the constitutional nature of our political arrangements. The new clause would introduce a remarkable constitutional innovation: that the blisters around a sheep's mouth and the sores around a cattle hoof should determine whether democratic elections take place I have searched Bagehot and the constitutional histories available in the Library, and nowhere is it stated that the condition of agricultural livestock should be the variable factor determining the movable feast of when elections take place.

The conditions in paragraphs (a) to (d) read as though they have been downloaded from an old MAFF website. We welcome the conditions that

"the geographical spread of the disease has been reversed";

that

"movement restrictions have been lifted from most farms";

and that

"the trend in new cases of the disease is clearly downward".

We are perhaps less keen on the condition suggesting that opinion polls should show significant gains for the Conservative party.

My hon. Friend the Member for Leeds, Central (Mr. Benn) put his finger on it when he said that it was a matter of political judgment. It is a tribute to the flexibility of our constitution that the Prime Minister could take the decision that he took and listen to the nation. Judging from the parliamentary Labour party meeting this morning, he did so with pretty much the unanimous support of Labour Members of Parliament.

I asked some friends in the United States what it would take for any American election to be postponed or varied. Would it happen if "The X-Files" proved to be true; if aliens landed; or if the hon. Member for Buckingham (Mr. Bercow) became an American citizen? I asked them whether, if any such natural disaster befell the American people, elections would be suspended. They listened in complete incomprehension. We should take cognisance of the fact that, in putting off an election even for one month, we are probably alone in the democratic world.

I am certainly happy, at this time of night, when no one is taking a great deal of notice, to make the argument for fixed-term Parliaments, which would obviate completely the discussions that we have been having in the past few weeks.

Hon. Members will have heard the alarming news that a large number of tuberculosis cases have been reported at a school in Leicester, and that the local medical authorities talked of a virulent disease that could spread rapidly, even beyond the confines of the school. All animals with foot and mouth get better, and it poses no human health risk, so were I a Leicester parent, I would be asking why obsessive media attention has been concentrated in recent weeks on the fact that hundreds of thousands of our cows and sheep have caught a very nasty cold, with foot and mouth ulcers.

We have suspended elections and the House has been utterly pre-occupied with that, whereas I suspect that children and parents in Leicester are in very great fear. Their situation, however, has commanded not nearly the same attention as the elections have received from the gentlemen of the press in the Gallery and from Conservative Members.

Mr. Bercow: I am grateful to the hon. Gentleman for giving way. He is really rather an endearing specimen in the House in that he is almost invariably off message, despite the fact that he is on the payroll vote. When he is on message, however, it seems to be only by accident. Will he confirm that he is profoundly opposed to any postponement, as seems to be the subtext of his remarks today, and that even if the foot and mouth contagion dramatically worsened in the next four weeks, he would still want all elections to go ahead? That is the burden of the position that is being expressed by a Parliamentary Private Secretary to a Minister.

Mr. MacShane: All I can say to the hon. Gentleman, as always, is read my lips—or rather my speech in tomorrow's *Hansard*, where my meaning will be perfectly plain. He may like me to repeat what I have just said, but I am sure that the occupant of the Chair would not. Nevertheless, one of the pleasures of debating with the equally endearing hon. Gentleman is that, regardless of how often hon. Members tell him that one and one are two, he pops up and insists that they are one and a half or three or four or five, or that in any case it is all a European plot to take over the British arithmetic system. I therefore invite him to read tomorrow's *Hansard*.

The borough of Rotherham in which my constituency lies is 65 per cent. rural and there was great concern when, over the weekend, a foot and mouth case was reported.

Fortunately, however, it turned out to be a false alarm. Nevertheless, 283 sheep in one herd were slaughtered, to the great anger of the farmer, and a local country park was closed. I am talking to Rotherham borough council about reopening the park because I think that many of our municipal authorities have grossly over-reacted to the situation. At times they want to be a little more Whitehall than Whitehall and a little more jobsworth than jobsworth, but it is time that our countryside was reopened.

Earlier, in describing what I think he said was his 600 square mile constituency in Lanarkshire, my hon. Friend the Member for Clydesdale (Mr. Hood) commented on whether people could vote. One matter that has received very little attention or publicity in this debate on when the general election might or might not be held is the quiet revolution that has occurred in democratic accessibility. The Government can be rightly proud of wiping away all the bureaucratic obstacles to obtaining a postal vote.

I do not know whether you vote any more, Mr. Speaker. I think that, constitutionally, you are still allowed to vote—although I know that you are now above such minor things as ballot boxes. Nevertheless, you, me, the Prime Minister, every hon. Member and every one of our voting citizens no longer has to go to a voting booth before 11 am or after 11 am—intoxicated by the rhetoric of Liberal Democrat candidates or otherwise—or wait until the evening to cast a vote. Now, every one of our citizens can apply for a postal vote without a cross-signature from a doctor or anyone else and cast a vote without going to a voting booth.

The right hon. Member for Bromley and Chislehurst (Mr. Forth)—who has left the Chamber—is a great admirer of American elections, and I have had very profitable discussions with him about the American political system. In the state of Oregon, people can vote only by post. I think that, in due course, perhaps in new Labour's third or fourth term, we will be able to move to electronic voting and to cast our vote in many different ways. *[Interruption.]* The hon. Member for Buckingham is interrupting again from a sedentary position, as is his wont. He will become a virtual Member of Parliament—small, perfectly formed, and for ever available on dot.com from Conservative central office.

I hope that there is no more cant from Conservative Members about shifting the election on 7 June off to the Greek calends. The people of this country accept that foot and mouth must be tackled. However, at the risk of making special pleading, I must tell the House that thousands of my constituents are steelworkers, and they face a bleak and miserable family future. The Conservatives utter not a word of sympathy or concern about them, and neither do their puppet masters in the press.

My steelworker constituents may ask themselves whether the constitution can be changed and elections postponed so that their needs can be considered and met. I tell them that that cannot be done. Winston Churchill went to Potsdam in May 1945 and came back a defeated Prime Minister. That great treaty was concluded by Clement Attlee, and in those days the British people—the voters of Rotherham and Buckingham—did not let a little thing like an unfinished world war stop an election.

We should have the election on 7 June. We need no more cant and excuses, nor any more cynical new clauses that are merely a way to delay matters in the interest of one party. In the next term, or in the third or fourth Labour term, we should examine the idea of fixed-term Parliaments and the matter of making postal voting and other forms of voting more accessible.

No matter what disaster befalls our nation, our strength lies in holding elections and in being the world's oldest democracy. We should not put off people's right to vote when the time comes.

Sir Patrick Cormack: The hon. Member for Rotherham (Mr. MacShane) is an amiable cove, as my hon. Friend the Member for Buckingham (Mr. Bercow) charitably christened him. He has a wonderful gift for verbal dexterity, as he can talk about nothing at inordinate length. However, I have never in my life heard so much codswallop spoken in 10 minutes.

The speech by the hon. Member for Rotherham would have been amusing and diverting had he not trivialised an extremely important matter. His reference to a herd of sheep summarised his notions and knowledge of the countryside. From now on, I shall think of him as the cows' shepherd—but I will not be led by him. *[Interruption.]* If impertinence, discourtesy and lack of chivalry have been demonstrated, it was by the gesture that the hon. Gentleman just made, not by my joke. That is typical of the triviality with which we are dealing this evening.

The hon. Member for Rotherham mentioned news of tuberculosis in Leicester. I had not heard that news, which is, of course, very serious. I am sure that all hon. Members take it seriously. However, the hon. Gentleman went on to try and develop an argument from that, and to make the extrapolation that foot and mouth was no more serious than a common cold.

I should like to take the hon. Member for Rotherham to my constituency, and introduce him to some of the people there who are suffering. I should like him to meet the farmer who rang yesterday to tell me that he had a very modest income of £14,000 a year, and that he got it in three tranches. He said that the first tranche came when he sold his spring lambs, the second when he sold cows at Christmas, and that the third came at harvest time when he sold produce from his fields. This year, my farmer will get nothing from his spring lambs. They do not have foot and mouth, but they cannot be moved or sold, so my farmer has no income; nor is he eligible for any help from the state.

9.45 pm

I rang up the Inland Revenue's famous hotline and was told that his case could not be dealt with until July. I would like to take the hon. Member for Rotherham to meet that farmer. I would like him to meet the farmer's four children and his wife. I would like him to meet some of the other people who are afflicted and distressed by this most terrible scourge.

I have a very high regard for the hon. Member for Clydesdale (Mr. Hood), not least because my son stood in the Scottish parliamentary election in his constituency. He is a chivalrous gentleman, who is rightly admired by his constituents. That was quite apparent when we walked around the constituency. He has an understanding of both the urban and the rural communities.

The hon. Member for Rotherham should be thoroughly ashamed of himself: he should be cringing as I speak. All over this country, in Devon, Cumbria and Staffordshire—

[Sir Patrick Cormack]

where, as my hon. Friend the Member for Lichfield (Mr. Fabricant) knows, there are 44 cases of foot and mouth—there are people whose lives' work is being burned before their eyes. There are people whose families do not know where the next bread will come from. There are people in rural communities whose businesses—some third, fourth or fifth generation—are collapsing.

Mr. MacShane: What about the election?

Sir Patrick Cormack: It is because there is some recognition of this plight that the Prime Minister—belatedly, I believe—came round to the view that it would be an insult to those people to go to the country with any sort of election on 3 May. The Prime Minister's decision is entirely right and has the wholehearted support of the Conservative party.

Mr. Gapes: Will the hon. Gentleman give way?

Sir Patrick Cormack: I should just like to develop this point and then perhaps I will.

I tabled an amendment in Committee that was very similar to this new clause. It could not be debated because there was not enough time, Mr. Speaker, and you know why. You were very kind and said that manuscript amendments could be accepted on Report, which is why we are having this debate now. We have tabled the amendments to tell the Prime Minister that we welcome what he has done but do not think that he has recognised quite what a crisis this is. He is saying that the disease is not under control so that we cannot go to the country, locally or nationally, on 3 May. We are simply asking how he can be so certain that the disease will be under control on 7 June.

Mr. Gapes: Will the hon. Gentleman give way?

Sir Patrick Cormack: Just a minute. If the hon. Member for Leeds, Central (Mr. Benn), who made a brief but sensible speech, had said that we ought to have gone for a date in July or September, Conservative Members might well have been content with that. We are not worried about the results of the county council elections, because every poll predicts that we shall do extremely well. That is not what concerns us. However, we are extremely worried that the country may still, in whole or in part, be in the grip of this dreadful disease on 7 June. If so, it would be as improper to go to the country then as it would on 3 May.

We are seeking to build some flexibility into the Bill, so that, by affirmative resolution, Parliament can move a date either for the whole country or for those parts of the country in which the disease is still rampant.

Mr. Michael Fabricant (Lichfield): Does my hon. Friend share my suspicions that the Government are beginning to believe their own rhetoric? Is he aware that MAFF inspectors are saying to Members of Parliament—perhaps they are saying it to him, as they are certainly telling me—that they believe that the position in Staffordshire now is as it was in Cumbria three and a half to four weeks ago?

Sir Patrick Cormack: I am extremely sorry that my hon. Friend has to say that. He is right: we are all worried in Staffordshire. In one village in my constituency 10 days ago there were piles of dead and rotting sheep for three days, waiting to be disposed of in five or six fields. Some people were going to look at them, taking their dogs to look at them and doing all sorts of other macabre and stupid things. Yes, it does worry us.

I hope that the disease will be under control by 7 June. I hope that there will be no need for further movement of the election date, but anyone who attended the presentation that the Minister of Agriculture kindly arranged in the Grand Committee Room today must have come away feeling worried by some of the things that we heard. If those predictions are right, it would be grossly improper to go to the country.

Mr. Hilary Benn: The hon. Gentleman is arguing that 7 June may be too soon, but if they feel that, would it not have been better for the Opposition to have tabled an amendment that named a single alternative date rather than an amendment that leaves it to the Government of the day to decide the date, which could be months or, technically, years ahead?

Sir Patrick Cormack: The hon. Gentleman knows that it could not be years ahead. It could be the autumn—I do not know. We believe that it should be reasonably open ended because of the severity of the outbreak, which has now topped 1,000 cases.

Mr. Gapes: Was the hon. Gentleman in favour of an immediate general election last September, as called for by his leader, when my constituents were suffering from the effects of the blockades that were encouraged by the Opposition?

Sir Patrick Cormack: I was not in favour. I am on the record as not having been in favour of an election in February 1974 or June 1987. This is the one issue on which I agree this evening with the hon. Member for Rotherham. I personally believe in fixed-term Parliaments.

I am not in favour of setting in stone a date that may well be wholly unsuitable when the countryside is still bleeding. I finish where I began, with the hon. Member for Rotherham. I hope that he will look not just at the statistics but at the human misery behind those statistics. I hope that he will have real cause not to grin like an inane nonentity but to appreciate just what a crisis the countryside is in.

Mr. Mike O'Brien: Foot and mouth disease is indeed harrowing for those farming areas that are directly affected. I represent a rural area, and yesterday animals were being culled in my area of Warwickshire. However, it is not just a local issue for those farming areas directly affected. It is a national problem. It is important that parliamentarians can come together to express support for those in the farming and tourism industries who are most directly affected. The Government have been careful in seeking to balance the need to ensure that Ministers and the Prime Minister can focus on foot and mouth disease and the need to ensure that people have a chance to vote for their local representatives. It is a serious matter to postpone elections.

Mr. Hawkins: In the light of what he has just said, responding with appropriate seriousness to the matter,

will the Minister take the opportunity publicly to dissociate himself from the disgraceful remarks made by the hon. Member for Rotherham (Mr. MacShane)?

Mr. O'Brien: Hon. Members will have heard my expressions of concern about foot and mouth disease and can draw their own conclusions. My hon. Friend the Member for Rotherham (Mr. MacShane) is someone who adds to debates in the House, is often controversial, and expresses views which others may not dare to express. That is what the people of Rotherham elect him to do—to speak out and say what he thinks. He does so with great care for the people of Rotherham. I commend him for speaking in that way, but I also have my own views which may not always agree with his.

We need to ensure that we treat these matters with care. Parliament indicated that it wanted certainty as to the date of local government elections; the legislation will set out that certainty.

Mr. Gerald Howarth: Will the hon. Gentleman give way?

Mr. O'Brien: If the hon. Gentleman will forgive me, I shall not give way; we have limited time and I have a series of points to make. I have been generous in taking interventions on previous occasions.

Our judgment on the balance between the democratic right of people to vote for their local representatives and the need to recognise the concerns of the farming community especially, but also of the tourist industry, has led us to the conclusion that we need a postponement of the 3 May elections. I am pleased with the general support in the House for that.

We also believe that there is a need for certainty as to the date on which that election will take place. The amendments and new clauses all seek the same objective: to remove the fixed date till which the local elections have been deferred.

There are a number of reasons why it is not a good idea to leave that date open. First, we should carefully consider the interpretation that would be placed on the decision to delay indefinitely the local elections on people who may be considering visiting the United Kingdom from abroad, or indeed on our home-grown tourist industry. It is in the interests of every citizen—town and country dwellers—and not least of those farmers who have diversified into other areas of business that rely on the tourist trade, that we restore confidence in our tourism as quickly as possible.

New clause 1, which would allow the elections to take place on different dates in different counties, is particularly unfortunate in that regard. Hon. Members should imagine the message that would go out to potential tourists from abroad: "You can go to Dorset, but not to Wiltshire which is still closed. Somerset will open next month." That would do nothing to restore confidence in this country as a destination.

Secondly, we must take into account the position of councillors who intend to stand down at the next election. Although it is reasonable to expect most of them to accept a short delay, it most certainly is not reasonable to expect them to continue in office with no idea of when their term of office will cease, leaving them unable to make plans for the future.

Of course, a councillor may resign his office at any time, and the Government are grateful in the expectation that most councillors will accept a short extension of their term of office—as envisaged in the Bill. However, it would be quite unfair to prevail on their good will, as an open-ended deferral of local elections would do.

The third reason relates to democracy. Given some of the past actions of the Conservatives in abolishing democratically elected local institutions, it is no surprise that democracy may not be at the forefront of their minds. However, it is not right for the political make-up of councils to be determined by the vagaries of carrying unfilled vacancies, so that local people have no idea when they can restore the council that they have chosen, or choose a different one. They will have no certainty as to the date when they could do that. That would be wrong. A councillor might die or retire; the balance of the council would change, contrary to the will of the electorate, but nothing could be done for a prolonged period—until all the conditions set out in the new clause were met. That is not the right way to proceed.

All the points that I have set out illustrate the importance of certainty as to when local elections will be held. Those hon. Members who have put their names to the proposal to postpone the elections until specific conditions for controlling and eradicating foot and mouth disease are met on an area-by-area basis are proposing a recipe for local government chaos. I make that point in sadness: Parliament would regularly have to turn its attention needlessly to when a local election could take place in a given locality. That is not a serious way to proceed.

Certainty is what Parliament called for in local elections; certainty is what our Bill will provide. I therefore ask the Opposition to withdraw the new clause; or if they do press it to a Division, I would ask my hon. Friends to vote against it.

Mr. Hawkins: I have no intention of withdrawing the motion. We wish to press it to a Division because we feel extremely strongly that the new clause is needed, as it would introduce the required element of flexibility.

It being Ten o'clock, MR. SPEAKER *put the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day].*

Question put, That the clause be read a Second time:—

The House divided: Ayes 120, Noes 336.

Division No. 179] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Butterfill, John
Amess, David	Cash, William
Ancram, Rt Hon Michael	Chope, Christopher
Arbuthnot, Rt Hon James	Clappison, James
Atkinson, Peter *(Hexham)*	Clifton-Brown, Geoffrey
Baldry, Tony	Collins, Tim
Bercow, John	Cormack, Sir Patrick
Beresford, Sir Paul	Cran, James
Blunt, Crispin	Davies, Quentin *(Grantham)*
Boswell, Tim	Davis, Rt Hon David *(Haltemprice)*
Bottomley, Peter *(Worthing W)*	Day, Stephen
Bottomley, Rt Hon Mrs Virginia	Donaldson, Jeffrey
Brady, Graham	Dorrell, Rt Hon Stephen
Brazier, Julian	Duncan, Alan
Browning, Mrs Angela	Duncan Smith, Iain
Burns, Simon	Emery, Rt Hon Sir Peter

Evans, Nigel
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thompson, William
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Gray and
Mr. Peter Luff.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Field, Rt Hon Frank
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McCrea, Dr William
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*

Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Paisley, Rev Ian
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Peter *(Belfast E)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and Mr. Clive Betts.

Question accordingly negatived.
Bill read the Third time, and passed.

Election Publications Bill *[Lords]*

Order for Second Reading read.

10.13 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I beg to move, That the Bill be now read a Second time.

This short, one-purpose Bill has been introduced following representations by all three main political parties. The issue arose from discussions between the Conservative party and the Electoral Commission, which established that the Conservatives were concerned about the new legislation. The Conservative party discussed the issue with the Labour party and the Liberal Democrats, and all three then made representations. The Bill is in response to their concerns.

The Bill postpones the operation of the new requirements relating to the imprint on election publications, which were introduced by the Political Parties, Elections and Referendums Act 2000. I emphasise that we are not repealing those new requirements, but simply delaying their commencement to assist political parties. The Bill is not about correcting defects in the 2000 Act.

Mr. Michael Fabricant (Lichfield): Will the Minister give way?

Mr. O'Brien: If the hon. Gentleman will allow me to set out what the Bill does, I shall happily give way to him.

The Bill reverses what, in hindsight, may have been an overly rapid implementation of two provisions in the 2000 Act, given that political parties were not yet in a position in which they were prepared or able to comply with them. In those circumstances it is right that we listen to representations. From the start, we have said that we wanted to make progress on the legislation on the basis of consensus and consultation with political parties, and we have tried to take that approach throughout.

Mr. Dominic Grieve (Beaconsfield) *rose—*

Mr. O'Brien: Perhaps I may advance my arguments a little more, then I shall happily give way to Opposition Members.

It may assist the House if I briefly explain the background to the Bill. By definition, all right hon. and hon. Members have been candidates in one or more previous elections for Parliament. I trust, therefore, that we are all familiar with the long-standing requirement in section 110 of the Representation of the People Act 1983 that our election leaflets and posters bear an imprint stating the name and address of the printer and publisher. In its old guise, section 110 applied only to material that sought to promote or disparage a particular candidate; it did not apply to national material promoting or disparaging a political party. Section 143 of the 2000 Act made good that omission. Paragraph 14 of schedule 18 to

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that Act substituted a new section 110 in the 1983 Act. The new section 110 sought to make the provenance of any election material clearer.

Mr. Edward Leigh (Gainsborough): Will the Minister give way?

Mr. O'Brien: Not at the moment, but when I have set out what the Bill is about I shall happily give way to the hon. Gentleman and his colleagues.

Mr. Fabricant: Do not forget me.

Mr. O'Brien: I will not forget the hon. Gentleman. How could I? He is a neighbour of mine and regularly appears in my local press. Indeed, I sometimes think that I cannot get away from his smiling face in the newspapers.

The new section 110 sought to make the provenance of election material clear to everyone, and did so by replacing the requirement to name the publisher with a requirement to identify the promoter and the person on behalf of whom the material is being published. The promoter is the person who calls for the material to be published and would normally be a candidate's election agent; the person on behalf of whom the material is being published would normally be the candidate himself. The new provisions relating to national electoral use deploy identical terminology.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the Minister give way?

Mr. O'Brien: If the right hon. Gentleman will forgive me, I shall explain what the Bill is about and then happily give way. Following Royal Assent, we consulted the main parties on the timetable for commencement in relation to section 143 and the new section 110. We proposed that they should come into force along with much of the rest of the 2000 Act as quickly as possible—that is, on 16 February. Unfortunately, at that time, none of the parties dissented and the order was made accordingly.

Mr. Grieve: Will the Minister give way?

Mr. O'Brien: The hon. Gentleman is very persistent, so I shall give way.

Mr. Grieve: One of my tasks was to take the 2000 Act through Committee on behalf of the Opposition. Will the Minister concede that one feature of discussion in Committee was that both the principle of various changes and the practicability of their implementation could be explored? Because he denied the House the opportunity to discuss section 143 when it came back from the House of Lords, there was no opportunity for Members to apply their practical experience to the difficulties that its implementation might cause. I am sure that the Minister will confirm that the letter from the Government makes no reference to section 143 or the problems that might surround its implementation.

Mr. O'Brien: The hon. Gentleman doth protest too much. He knows, as does everyone who watches proceedings in this place, that sometimes the Opposition—I suppose that it applies to almost any Opposition—seem to judge the quality of legislation by the length of their speeches, rather than by the quality of the drafting and the objective of making good law.

The part of the Bill under discussion was inserted in the legislation in July last year. There was plenty of time for consultation. We have always made sure that we were open to representations on the Bill from the Conservative party and any other political party. We have always emphasised our desire to move forward by way of consultation and consensus. The hon. Gentleman knows that there were opportunities for the Opposition to raise the issue in consultation or in other ways.

With regard to the letter, it is a matter for the political parties to examine the legislation and decide whether they have any points to raise. That is the purpose of the letter. We did not intend to set out the entire Bill in the letter that we sent to the political parties. We wanted to know whether they had any objection to our inserting particular provisions into the law.

Mr. Grieve *rose—*

Mr. O'Brien: I am conscious of the time. I have given way to the hon. Gentleman once, and other hon. Members have also asked me to give way. I give way to the hon. Member for Beaconsfield (Mr. Grieve) for the last time.

Mr. Grieve: I thank the Minister. He says that the Opposition did not respond, but presumably his own party did not respond, either. I understand that at least some of its national literature and posters do not conform with the requirements of the Political Parties, Elections and Referendums Act 2000.

Mr. O'Brien: That is not quite true. In the consultation period from December to January, the Labour party did not respond on the particular point. Although it did not object to the implementation of the provisions that we suggested, the Labour party did comment on them in July last year, in a telephone call, but that is all. There was no objection from the Labour party, the Conservatives or any of the political parties.

Subsequently, by 16 February, the parties and candidates throughout the country were already preparing for the county council elections. Many of us have experience of unpacking boxes of old leaflets and posters, and re-using them in later elections. Any such material would have borne the old "printer and publisher" imprint. In many cases, new material would have been commissioned without taking into account the new imprint requirements.

What is to be done in that situation? One option would have been for the parties and candidates to pulp the existing stocks of material and to arrange for new leaflets and posters to be printed. The political parties could have done that, at enormous cost and with some difficulty. However, the three main parties have made it clear to us that such an option was neither practical nor realistic. After due consideration, we accepted that, and in line with our wish

to proceed by way of consensus and consultation, we agreed to accept the representations made by the three main parties.

Mr. Beith: Will the Minister give way?

Mr. O'Brien: I shall give way to the hon. Member for Lichfield (Mr. Fabricant), then to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), and then to the hon. Member for Gainsborough (Mr. Leigh).

Mr. Fabricant: In his introduction, the Minister said that the Bill represented not a cancellation of legislation, but a postponement. It may be my lack of drafting skills, but I cannot find the date until which the legislation is to be postponed. Can the Minister clarify that?

Mr. O'Brien: The postponement is not until a particular date. We believe that the matter should be dealt with through consultation with the political parties. We want to enter into discussion not only with the Labour party and the Liberal Democrats, who in the past have been willing to discuss such matters, but with the Conservative party. I hope that, having learned its lesson that consultation is important, the Conservative party will engage seriously in discussions not only about this part of the political parties legislation, but in relation to other issues in the legislation that has already been passed but which has not yet come into force—where commencement provisions have not yet been enacted. I hope that the Conservative and other parties will engage in consultation about the effect on them and on the political process. We need to get it right. We are dealing with a new aspect of law and it is unsurprising that there are some teething troubles with a new area of regulation. The difficulty in question is one of those teething troubles. With the benefit of hindsight, I can say that we commenced the new imprint requirements too soon. The best course is, therefore, to suspend the process and to re-establish the status quo ante.

Mr. Beith: Will the Under-Secretary confirm that a further problem came to light only a few weeks ago? I refer to the difficulty of obtaining consistent and practical advice—a difficulty that was faced by the Electoral Commission, among others. Some of the advice suggested that the name of every candidate in a multi-candidate election would have to appear within the imprint. In the light of that lack of consistency, surely it is necessary for some agreement to be reached before the Bill is enacted on what constitutes a proper imprint.

Mr. O'Brien: The right hon. Gentleman raised that issue when he met my right hon. Friend the Home Secretary and myself. I think that that meeting occurred two weeks ago. It seemed to us that the legislation was unclear. We believe that we can deal with the matter through consultation and, if necessary, by providing clarification on the way in which we should proceed. The Bill gave us the opportunity to proceed in that manner. Clause 2 sets out how we propose to proceed in relation to election publications.

Mr. Leigh: In my experience, when a Bill is enacted, it is usually supported by at least one of the political parties that are represented in the House. The provisions were wrong in the first place because there was not sufficient time to consider them. The Under-Secretary will have noted that we have to finish Second Reading, the Committee stage and Third Reading by 11 o'clock. If we proceed by order and then counter-order, disorder will be the eventual result. We are now in the counter-order stage of our proceedings. Is not he worried that we might be rushing things again? Does he plan to allow the other place to give these provisions more detailed consideration? Let us get it right this time.

Mr. O'Brien: The Bill was introduced at the request of the Conservative party and of all the main political parties. We hope, therefore, that there is broad agreement on it. We have done our best to ensure that the drafting is correct. I thank the parliamentary draftsmen and officials who worked very hard at short notice to ensure that the Bill was in a proper condition to come before the House. With your permission, Mr. Speaker, I should like also to extend such thanks in relation to the Elections Bill, on which officials and draftsmen also worked hard.

Mr. Christopher Chope (Christchurch): The Under-Secretary made it clear in his answer to the right hon. Member for Berwick-upon-Tweed (Mr. Beith) that the existing legislation is defective and needs amendment. Why do the Government think it reasonable to amend that legislation by issuing a fiat in a Henry VIII clause, without providing any opportunity whatever for the House to consider amendments?

Mr. O'Brien: We are not repealing the legislation. If the hon. Gentleman had listened to my opening remarks, he would be aware that we are postponing commencement in relation to a part of the legislation. We still intend to proceed with new section 110 of the Representation of the People Act 1983, but only after we have had the opportunity to consult the political parties. I hope that they will engage in the consultation with more alacrity and clarity than they have in the past. The measure is not defective and we propose to proceed with it. It is a question of when we commence that process.

We could have dealt with the existing legislation in many ways. We could have said that Parliament had decided the law and that our candidates should pulp what they had done wrong. However, we did not think that such a course of action would be consistent with the consultative and open-minded approach that we sought to adopt in order to gain the support not only of other Opposition parties, but of the Conservative party. There was no opposition to the Political Parties, Elections and Referendums Bill. The Conservatives did not vote against it. If I remember rightly, they abstained on Third Reading and did not dissent. I think also that, a number of times, they gave broad support to the general principles of the Neill report, whose implementation they wanted. There was much in that Bill that had broad support.

It is all too easy for hon. Members to criticise our parliamentary draftsmen. Drafting is an art, and they are experienced, but not infallible. Hon. Members should be

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careful in criticising public servants who work very hard to try to ensure that they do their best for Parliament. *[Interruption.]*

Mr. Speaker: Order. There is far too much noise. The Minister is entitled to put his case.

Mr. O'Brien: Thank you, Mr. Speaker.

Mr. Andrew Tyrie (Chichester): Will the Minister give way?

Mr. O'Brien: No, I will not.

Clause 1 rescinds the commencement of section 143 of the 2000 Act and new section 110 of the 1983 Act. The natural consequence of that is to restore the position as at 16 February. In effect, it is as if the old section 110 had continued to operate after that date.

Because we still see merit in the new imprint requirements, clause 2 enables them to be reactivated by order, and it is our intention to do so in due course. I cannot at this stage offer the House a date, not least because we want to consult the Electoral Commission and political parties before we make a decision.

Mr. Andrew Stunell (Hazel Grove): Will the Minister give way?

Mr. O'Brien: Not at the moment.

I hope that all the parties and the Electoral Commission will engage in that consultation.

Clause 3 includes a saving for any election publication that complies with new section 110. That saving will apply from 16 February 2001 to the date on which new section 110 is restored. During that transitional period, local material that complies with either the old or the new section 110 will be lawful. I hope that that reassures hon. Members and political parties. Although that option is there, my advice to anyone producing new material would be to comply with new section 110 so that any stocks left over from this year's elections could be reused at a later date. Of course, many Conservative candidates may well want to try their hand again after they have lost.

The circumstances surrounding the Bill are clearly a little unusual, but it is a necessary measure to deal with—

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. Is there anything that you can do to protect the House in this situation? We now have 28 minutes left for the Second Reading, Committee, Report and Third Reading of the Bill, and the Minister has not yet concluded his remarks. Are you satisfied the House has sufficient time to discharge its responsibilities in the complete passage of a Bill, when the Minister is still on his feet with 28 minutes left?

Mr. Deputy Speaker (Mr. Michael Lord): The time for which the Minister speaks is entirely a matter for him, but I hope that the whole House will bear the time very much in mind.

Mr. O'Brien: I hear what you say, Mr. Deputy Speaker. I have taken many interventions because I wanted to ensure that hon. Members had the opportunity to contribute, but I shall accept no more because the right hon. Member for Bromley and Chislehurst (Mr. Forth) takes the view that Ministers who do so should be penalised. I am trying genuinely to assist the House, and the right hon. Gentleman seeks to use that to score cheap points. That is uncharacteristic of him; normally his points are much better considered.

Given that the county council elections will occur within nine weeks if the other place agrees with the Elections Bill passed by the House, I hope that the House will understand the need for this Bill to be enacted as quickly as possible. That will require the all-party support that was evident in another place, and I hope that the Bill will receive that here.

10.34 pm

Mrs. Angela Browning (Tiverton and Honiton): It is astonishing that the Minister made no reference to the fact that all stages of the Bill were scheduled to be considered until any hour on Monday this week, when it could have been given proper scrutiny and attention. It is a disgrace that the Government are attempting to pass it in three quarters of an hour.

The Minister was right to say that the Opposition welcome the Bill. [HON. MEMBERS: "Oh."] Well, we might want to change our minds. The Bill has cross-party support, and I know that the parties appreciate the way in which the Home Secretary has taken difficult decisions. In introducing the Bill, however embarrassing it may be for him personally or for his Department corporately, he is discharging his duties as Home Secretary.

Despite the fact that the Home Secretary is providing a solution to the problem that the political parties face, the Bill could easily be renamed the Laurel and Hardy Bill, because it is the product of yet another fine mess the Government have got us into—and have even managed to get the Labour party into. I am sure that the Home Secretary does a very good Stan Laurel, but I shall not venture to suggest who in the Department is Oliver Hardy.

As the Minister said, the Bill was tabled in response to concerns expressed by all the main parties about the changes that have been made.

Mr. Mike O'Brien: When we had discussions with the chief executive of the Conservative party, we made it clear that we were prepared to listen to representations from his party but that we did not want cheap party political points thrown around as the hon. Lady has just been doing. That cheapens debate in this place, and makes her appear more of a Laurel and Hardy figure than anyone else.

Mrs. Browning: I am sorry that I took the Minister's intervention. A few weeks ago, I was doing a phone-in on the Ed Doolan show. I talked to a pensioner and then a mother with a young child. Suddenly we had a phone call from Mike of Warwickshire. He was apparently a constituent from Warwickshire who phoned in to ask my views on the Hunting Bill and how I intended to vote. I do not know who Mike from Warwickshire was, but when the Minister rose to make his intervention the word "prat", which went through my mind at the time, occurred to me again. I shall take no more interventions from the hon. Gentleman. He knows who he was.

Mr. Leigh: Does my hon. Friend accept that the issue is no longer the rights or wrongs of the Bill but the fact

that, now that the Minister has sat down having opened the Second Reading debate, we have only 28 minutes for the remainder of Second Reading, Committee and Third Reading? That is unheard of, and—as if that were not enough—when the Opposition question the Minister, he says that all deals are off and that they are not allowed to criticise the Government. Neither time nor criticism is allowed. Are we the Supreme Soviet or the British Parliament?

Mrs. Browning: My hon. Friend is absolutely right. It is a disgrace that, although the Bill has all-party support, it arises from an Act of Parliament that was guillotined through the House. The very section that we are discussing was introduced in the House of Lords, and was never considered by the Commons on Second Reading or in Committee. It came back to the House and was guillotined through. It never had proper scrutiny in the first place.

It is a disgrace for the Minister to praise the draftsmen. He should take responsibility for the Government's failure to allow proper scrutiny of the original Bill before it became an Act of Parliament, and not keep bringing back dregs to the House of Commons so that we can put right the mess that the Government have created. Yes, the Bill has all-party support, but these proceedings are typical of this new Labour Government—all spin, no substance and no acknowledgement of their mistakes.

When this matter was discussed during proceedings on the Political Parties, Elections and Referendums Bill, the Government tabled no fewer than 665 amendments in the House of Lords. The Minister mentioned July, but in fact this matter came before the other place on 18 October. Lord Bach spoke for the Government, but it was not even explained then. The detail of what the Government are now having to defer was never explained to the House of Commons, and nor was it the subject of detailed consultation with other parties.

In an earlier debate, the Home Secretary kindly gave me a copy of a letter dated December, which was sent to other parties. It did not deal with consultation on the substance of the Bill, but was about implementation. This part of the Bill has never been subject to consultation with political parties. *[Interruption.]* Labour Members are saying from a sedentary position that it is about implementation. Had the substance of this part of the Bill ever been seen or discussed by this place, perhaps even a Labour Member would have noticed that it was flawed, and we would not have had to go through this charade tonight.

Mr. Andrew Miller (Ellesmere Port and Neston) *rose—*

Mrs. Browning: I will not give way to allow any more silly comments to be made by Labour Members. Perhaps the hon. Gentleman will catch your eye during the 20 minutes that remain for all stages of the Bill to be completed, Mr. Deputy Speaker.

I must tell the Minister that it is a disgrace that we are having to deal with this matter. It is also a disgrace that Ministers have implied tonight that there was a lack of consultation, or an unwillingness on the part of the Conservative party—*[Interruption.]* I invite the Minister to tell me precisely where the letter is that indicates that the Conservative party was not prepared to consult on this part of the Bill. Where is the response that he received from the party saying that we did not wish to discuss the substance of the issues before the House? That was never offered to us. All that we received was a letter which—as the Labour party itself noted, because it failed itself to point out the Bill's inadequacies—contained no reference to what the Government intended by the change in regulations governing imprints in election material. That was never spelt out—not in another place, not here, and not even in the notices that the Government sent out seeking to advise people that they intended to implement the change.

The explanatory notes containing the details were not published until March. That is why political parties on both sides of the House failed to register exactly what the Government intended to do.

Mr. Mike O'Brien *rose—*

Mrs. Browning: I shall be happy to give way to the Minister. I hope that he will justify the cheap allegations that he has been making about why the Conservative party did not respond. We were never asked to respond to the substance of the changes.

Mr. O'Brien: Let me say first that, obviously—as a Member of Parliament—I was invited to engage in debate with the hon. Lady on the Ed Doolan show. I am not sure why she made those silly points, but there we are. Those listening to the debate can decide for themselves.

Let me now deal with the substance. When my noble Friend Lord Bach raised these issues, Lord Cope said in reply:

> None of us would disagree with the intention behind these clauses."—[*Official Report, House of Lords*, 18 October 2000; Vol. 617, c. 1144.]

Let me add that throughout the debate on the Political Parties, Elections and Referendums Bill, and in Committee, it was clear that we were prepared to discuss all aspects of the Bill with the Conservative party. I cannot recall one occasion during the whole process on which the Conservatives entered into serious consultation with us on any part of the Bill. That is why I say now that we would welcome the Conservative party's engaging in serious consultation from now on, so that we can be sure we have a Bill that gets it right and has consensus behind it. I want that, and I want it to be taken seriously in future.

Mrs. Browning: If the Minister is serious about taking debate in the Chamber seriously, he and his Government should allow adequate time for debate and scrutiny. The Political Parties, Elections and Referendums Bill was not given adequate time, and the result is the mess that we are having to tidy up tonight.

There was no filibustering in another place—[HON. MEMBERS: "There was no filibustering here."] There was no filibustering here either; but the Government tabled no fewer than 665 amendments in another place. When those amendments came to the House of Commons, unseen by Members, debate was guillotined. That included the part of the legislation that we are dealing with tonight.

[Mrs. Browning]

There is much more that I could say—

Mr. Tom Levitt (High Peak): The hon. Lady has not talked about the substance.

Mrs. Browning: I could talk for another 15 minutes, if the hon. Gentleman wanted me to. I will end, however, by saying that if Lord Mackay of Ardbrecknish had lived—he was the Conservative Front Bencher who originally took the Bill through the House of Lords—he would have laughed long and hard at the situation in which this House finds itself tonight. He worked hard to improve the Political Parties, Elections and Referendums Bill, just as he worked tirelessly in support of many other measures. Throughout his political career he has contributed to many Bills, and in another place he attempted to contribute to that Bill. If it does nothing else, this legislation reflects very clearly his last remarks about it. He observed that

"a lot of the devil was in the detail."—[*Official Report, House of Lords*, 27 November 2000; Vol. 619, c. 1188.]

I suspect that this is not the last time that the House will have to deal with the defects, flaws and lack of scrutiny of the original Bill, which is now an Act of Parliament.

The House having been advised that it would have sufficient time to debate all stages of the Bill on Monday night, it is an absolute disgrace that we are faced with just three quarters of an hour to deal with a Bill of such importance. [HON. MEMBERS: "You don't disagree with it."] No, we do not, but even if we do agree with a Bill, the suggestion that we should pass it through the House without scrutiny shows the lack of understanding among Labour Members of what the job of Parliament—

Mr. Miller: Will the hon. Lady give way?

Mrs. Browning: No, I will not give way to the hon. Gentleman. Other hon. Members have more sensible things to say in the short time that is left.

I am sure that there is a lot more detail and many more devils to come out of that legislation, which the House will have to sort out. This Bill will have our support because it is in everyone's interests that the mess be cleared up, but it is an affront to democracy and to the House that the Government have allowed just three quarters of an hour for us to deal with this important matter.

10.46 pm

Mr. Andrew Stunell (Hazel Grove): I do not quite share the total outrage of the hon. Member for Tiverton and Honiton (Mrs. Browning), but this is very much the "Carry on Corporal Jones Bill." We have blundered into an error which—let us be frank, although this is not usually the place where one is frank—no one saw coming: not in this House, not in the other place, not in the political party headquarters.

When the interpretation of the Political Parties, Elections and Referendums Act by the Electoral Commission filtered through to the parties, we realised that the meaning of the provision was going to place a heavy imposition on the political process.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Stunell: I shall, but the hon. Gentleman will have to be brief.

Mr. Grieve: The hon. Gentleman and I both served on the Committee that considered the Political Parties, Elections and Referendums Bill. Does he not agree that one of the features of the Committee stage of the Bill in the Commons was that there was a complete spirit of co-operation? In the course of that discussion, numerous instances of this kind emerged, were discussed and were resolved simply because they came up for scrutiny, could be examined and could be dealt with. It is the failure to do that which shames the House and the way in which we operate our procedures.

Mr. Stunell: I certainly agree with the hon. Gentleman on his interpretation of the procedures in Committee. Indeed, elsewhere, I have thanked the Minister and the Secretary of State for the Home Department for their approach to that legislation. That makes it all the more tedious and all the sadder that we have to revisit the matter tonight.

The Liberal Democrats will support this Bill, but there is an amendment standing in my name. I was hoping that the Minister might give way when he was speaking, so that he could answer the point. I hope that he might seek to intervene now to answer it because it is important.

The legislation that we are being invited to adopt tonight meets the immediate needs of the political parties and the political process, but clause 2 contains the bland wording:

"Introduction of new law . . .

The Secretary of State may by order made by statutory instrument provide".

It is that re-implementation process with which my amendment sought to deal. We will not reach that this evening but I would like to hear clearly from the Minister the process that the Government are prepared to write into *Hansard* as being the way forward, so that we know that we will not be at the behest of some future Secretary of State with less good manners and perhaps less good intentions than the current Home Secretary when it comes to re-implementation.

Mr. Mike O'Brien: I am happy to indicate how the Government would intend to proceed. This legislation, if Parliament agrees to it, will be able to stand the test of another year, I would have thought. In the meantime and certainly in the months to come, we would want to enter into serious discussions with each of the political parties, not just the three main ones, to get a view about how that particular provision and, indeed, other provisions of the legislation, should be dealt with.

I anticipate that we could allow several months for that to occur. I hope that, towards the end of the year, we will be in a position to say how we intend to proceed, having completed consultations. Then, no doubt following

discussions through the usual channels, we will be able to decide whether we need legislation and, if so, the precise terms of the instrument. I hope that that helps the hon. Gentleman. I will be happy to answer any other questions that he has.

Mr. Stunell: I am grateful. The Minister referred in his speech to the electoral commissioners. It is extremely important that, having established the commission, we do not allow clause 2 to bypass it and the objective input that it was supposed to have in the management of the political process. We have been fortunate that, although the ownership of the electoral process has been in the hands of the Home Secretary, it has been so in a judicial rather than a political sense. We do not want the commissioners to be bypassed in a fudge.

Mr. O'Brien: I reassure the hon. Gentleman that the Government would want to consult the commissioners fully. Indeed, they were able to have advance sight of the clause. I understand that it went into the Bill in October but was drafted back in July.

Mr. Stunell: I am grateful. I hope that the record will show that we have had some reassurances that this necessary legislation has some of the safeguards around it that some of us seek. I welcome the Minister's offer of further consultation on wider matters, and I hope that all the parties, including the official Opposition, will take it up. It is clearly important to our democratic system to have widespread ownership of the electoral processes that we use.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. I am minded to table a manuscript amendment to give effect to some of the assurances that the Minister has given. Would such a manuscript amendment be acceptable to you, and how could it be debated in the eight minutes remaining, given that we have not finished Second Reading and five more hon. Members want to speak?

Mr. Deputy Speaker: I am sure that the hon. Gentleman appreciates that that is a hypothetical question, because we have not yet reached Committee stage.

Mr. Stunell: Bearing in mind the time, I simply say that I support the Bill and that I am grateful for such assurances as we have had.

10.52 pm

Mr. Andrew Tyrie (Chichester): The Bill addresses a problem that could have been foreseen if there had been adequate scrutiny. We are patching up matters with retrospective legislation, which is something of which we should always be wary. Indeed, I am not convinced that the Bill is needed at all. Why on earth cannot the Government simply instruct the Director of Public Prosecutions, through the Attorney-General, not to bring any prosecutions? If a private prosecution is brought, there is a well-established practice that the DPP can take it over and offer no evidence.

10.53 pm

Mr. Michael Fabricant (Lichfield): We all support what the Bill is intended to achieve, but I am concerned that, in a few days' time, we may have to come back to it because we find a further lacuna, simply because there has not been adequate scrutiny. We do not have adequate time even for Second Reading, and we will have no Committee stage or Third Reading. We have only six minutes left.

On 11 April 2000, I wrote to the Home Secretary about how imprints ought to be applied to parliamentary websites. He replied on 18 May:

"You will not be surprised to learn that much of what you ask is not currently covered by electoral law as it stands. Of course, it is for the courts to interpret present statutes in the light of the evidence".

Although the Home Secretary went on to give some helpful guidance, it was merely guidance. If there had been more time to debate the Bill adequately, I would have tabled amendments—although I am surprised that the Bill does not already contain such provision—based on the Home Secretary's recommendations, so that people could be quite clear on the legality of websites appertaining to hon. Members and candidates in the forthcoming general election, whenever that is held. Currently, there is no clarity.

We have only five minutes left to consider the Bill, and other hon. Members wish to speak.

Mr. Mike O'Brien: On the point that the hon. Gentleman has raised, and to ensure that there is clarity, my advice would be to use the new provision in section 110. All three categories—the printer, the publisher and the promoter—will be covered by that, so it is all there and all clear. Subsequently, when we implement the provisions, as I trust we will, the websites can be used. I hope that that provides some clarity. What we did not want to do was to catch out someone who still had some of the old material.

Mr. Fabricant: I thank the Minister for that intervention. I know that it was intended to be helpful, but, sadly, it was not. The Bill does not, for example, deal with archival material or the use of the term MP in a uniform resource locator. They are dealt with in a letter, but not in the Bill. The Bill could have dealt with them if we had had adequate time to table amendments to it. Sadly, there is not time to do that. Sadly, yet again we see that the Government wish to deem legislation.

My fear is that we shall again have to consider this legislation in a week or two, when we discover that it is defective. Neither this Bill nor the original legislation would have been defective if we had had adequate time to scrutinise them. Time and again, however, the Government seem not to be prepared to learn that lesson.

10.57 pm

Mr. Eric Forth (Bromley and Chislehurst): This is a grubby, seamy little measure and we really should not be giving it House room at all. It has arisen, of course, because this arrogant Government legislated without proper parliamentary process. A deal has apparently been done among political parties which cannot get their act together. Now we, the legislators, are supposed to cover up for that and change a law that we had been told was necessary. Originally, the Government said that the current arrangements were unnecessary and that the new arrangement was absolutely necessary. Now, they are saying that that was not the situation at all and that it has to be sorted out.

[Mr. Eric Forth]

This is truly not the way in which we should use parliamentary process. It is not appropriate for legislation. What makes the situation worse is that, on Monday, we had an opportunity properly to debate, to scrutinise and possibly to amend the legislation. Then, the Government casually set aside that opportunity. Now, they have brought us here, under yet another guillotine, with 45 minutes in total to change the law of the land. That is utterly unacceptable and I hope that we will throw out the Bill.

10.58 pm

Mr. Edward Leigh (Gainsborough): We have already had the debate on the amount of time allocated to the Bill, so I do not want to make that point again. However, almost every hon. Member is trying to tell the House that this is an entirely straightforward Bill. What really concerned and worried me about this process was the Minister's interventions in the speech of the hon. Member for Hazel Grove (Mr. Stunell) and the fact that the Minister clearly felt that he had to intervene to clarify to the House the Government's intentions. If the Bill were as clear as everyone is making out, why did the Minister feel that he had to intervene not once, but twice in the hon. Gentleman's speech? The hon. Gentleman was making a perfectly serious speech in which he was not attacking the Government at all, but the Minister felt that he had to clarify the Government's proposals. Is the Bill as clear as the Government say it is?

I do not think that the Bill is clear. It deals with a very complex sphere of the law and with a matter that is of acute concern to all three political parties. One mistake has already been made. Can we, please, just pause for a second and get the legislation right? Can we have a proper Committee stage and not rush the Bill through in just one minute—which is all that we have now for the Bill's remaining stages? This is not good enough.

10.59 pm

Mr. Christopher Chope (Christchurch): The Bill cannot be in compliance with the European convention on human rights because of the process by which it is being implemented. It is absolutely outrageous, and I shall vote against it.

It being Eleven o'clock, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order [this day].*

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 327, Noes 4.

Division No. 180] **[11 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bercow, John
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brazier, Julian
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Browning, Mrs Angela
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butterfill, John
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cran, James
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Day, Stephen
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Fabricant, Michael
Field, Rt Hon Frank
Fitzsimons, Mrs Lorna
Flight, Howard
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gill, Christopher
Gilroy, Mrs Linda
Golding, Mrs Llin
Gordon, Mrs Eileen
Gray, James
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Harvey, Nick
Hayes, John
Heald, Oliver
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok

Lawrence, Mrs Jackie
Laxton, Bob
Leigh, Edward
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Loughton, Tim
Love, Andrew
Luff, Peter
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. David Jamieson.

NOES

Amess, David
Lilley, Rt Hon Peter
Ross, William *(E Lond'y)*
Tyrie, Andrew

Tellers for the Noes:
Mr. Eric Forth and
Mr. Christopher Chope.

Question accordingly agreed to.

Bill read a Second time, and committed to a Committee of the whole House, pursuant to Order [this day].

Bill immediately considered in Committee, pursuant to Order [this day].

It being after Eleven o'clock, THE CHAIRMAN *put the Question necessary for the conclusion of proceedings in Committee, pursuant to Order [this day].*

Question put, That clauses 1 to 3 stand part of the Bill:—

The Committee divided: Ayes 314, Noes 2.

Division No. 181] **[11.11 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Amess, David
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brazier, Julian
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Browning, Mrs Angela
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butterfill, John
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Collins, Tim
Colman, Tony
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cran, James
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton

Day, Stephen
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Fabricant, Michael
Fitzsimons, Mrs Lorna
Flight, Howard
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gill, Christopher
Gilroy, Mrs Linda
Golding, Mrs Llin
Gordon, Mrs Eileen
Gray, James
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Hayes, John
Heald, Oliver
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Loughton, Tim
Love, Andrew
Luff, Peter
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Rt Hon Michael
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid-Norfolk)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Stanley, Rt Hon Sir John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. David Jamieson.

NOES

Gill, Christopher
Ross, William *(E Lond'y)*

Tellers for the Noes:
Mr. Eric Forth and
Mr. Christopher Chope.

Question accordingly agreed to.

Clauses 1 to 3 ordered to stand part of the Bill.

Bill reported, without amendment.

Order for Third Reading read.

Motion made, and Question put forthwith, pursuant to Order [this day], That the Bill be now read the Third time.—[*Mr. Touhig.*]

The House divided: Ayes 285, Noes 0.

Division No. 182] **[11.25 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Amess, David
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Bailey, Adrian
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*

Benn, Rt Hon Tony *(Chesterfield)*
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brazier, Julian
Brinton, Mrs Helen
Browne, Desmond
Browning, Mrs Angela
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butterfill, John
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Colman, Tony
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cran, James
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Day, Stephen
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Fabricant, Michael
Fitzsimons, Mrs Lorna
Flight, Howard
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Gapes, Mike
George, Andrew *(St Ives)*
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Golding, Mrs Llin
Gordon, Mrs Eileen
Gray, James
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hammond, Philip
Hanson, David
Heald, Oliver
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Loughton, Tim
Love, Andrew
Luff, Peter
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclean, Rt Hon David
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Meacher, Rt Hon Michael
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Kevin Hughes.

NOES

Tellers for the Noes:
Mr. Eric Forth and
Mr. Christopher Chope.

Question accordingly agreed to.
Bill read the Third time, and passed.

PETITION

Safe Pavements

11.35 pm

Mr. David Amess (Southend, West): I have the honour to present a petition on behalf of the National Federation for the Blind. It has been organised by a resident of Southend, West, Mrs. Jill Allan-King, and has been signed by blind and partially sighted people from all over the United Kingdom who expressed concern at the unfortunate increasing tendency of cyclists to cycle on the pavement. The petition states:

The Petitioners therefore request that the House of Commons urge the Secretary of State for the Home Department to give priority to the enforcement of existing legislation to ensure that pavements, footpaths, promenades and parks are safe for all pedestrians to safely walk on and so prevent the increasing numbers of accidents; and to bring forward proposals for legislation to require cycles & wheelchairs to be fitted with bells or other warning devices.

And the petitioners remain, etc.

To lie upon the Table.

Hastings Multi-Modal Study

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

11.36 pm

Mr. Michael Jabez Foster (Hastings and Rye): I am grateful for the opportunity to address the House on an issue that was central to my election four years ago in 1997. I said at that time, and I have my election address to prove it, that I would work relentlessly until the Government acknowledged the special needs of Hastings, particularly the need for a transport infrastructure to support social and economic regeneration.

For us, joined-up government means that Hastings needs to be joined up physically to the prosperity of the south-east and beyond. I say "us" because I am lifelong resident of Hastings. Indeed, I can claim a really boring statistic in support of that, as I have never left the town for more than two weeks in my whole life. I know that that will not impress most people, although I hope that my right hon. Friend the Minister for Housing and Planning will be impressed by my knowledge of the needs of my constituency.

Everyone has heard of Hastings—1066 and all that. Its historic pedigree is first-class. Indeed, until the 1930s it was a thriving seaside resort, the fourth most popular in Britain. Its underground car parks and covered promenades were state-of-the-art developments. Regular train services brought thousands of holidaymakers to our town and prosperity to our local economy. After the war, all that changed. Years of underinvestment meant that the town was impoverished by the 1960s. The local Tory council's manifesto was:

"Not a penny on the rates".

Neither Labour nor Tory Governments came to our aid. Most people thought that it was a safe parliamentary seat for the Tories, so Tory Governments did not bother because they thought that they could not lose and, sadly, Labour Governments did not bother because they thought that they could not win.

That was the environment in which I grew up, went to work and entered local politics. It is true that, from time to time, Governments suggested improvements to the A21. About 30 years ago, the Tonbridge and Pembury bypasses were built, but south of Tonbridge the A21 became a snail trail. Without a transport infrastructure, even more businesses moved out of Hastings, so our economic future looked increasingly bleak.

To abridge the history lesson, 1997 arrived, and with it new hope and new ambitions. With the return of a Labour Government, a Labour Member of Parliament for the first time and a Labour council for the first time, hopes were high.

The campaign for regeneration, to which John Cosson of the 1066 Enterprise and Christine Goldschmidt of the Hastings Trust were committed, gained pace. Single regeneration budget fund moneys came into the town, and the Labour Government made massive investment in social regeneration through sure start, the education action zone and, more recently, neighbourhood renewal schemes. Last year, the European Commission agreed to objective 2 status. Such aid was needed because the local economy was in tatters, with unemployment rates higher than in the former coalfields of the north, and social deprivation left Hastings 28th in the deprivation index.

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Policies such as the minimum wage and the working families tax credit have brought hope to a town that still has more workers earning less than £250 a week than anywhere else in Britain. The minimum income guarantee, which has helped about 3,000 of our pensioners, and the winter fuel payments have alleviated much pensioner poverty, but although things are better, we remain the 28th most deprived town in Britain. Although the unemployment rate has virtually halved and youth unemployment is down by 85 per cent., we remain the unemployment blackspot of the south-east.

What will bring about the sea change? What will bring jobs and prosperity, and improve our local environment? What will restore our fortunes to pre-war days? To my mind, and in the opinion of 80 per cent. of my constituents, according to a local poll the solution is the creation of integrated transport access to Hastings, which will improve our economic fortunes and relieve our urban environment.

I support the Government's transport policies. It must be right that we should look first to public transport before private. It must be right that we look to rail, rather than road. For that reason, I have supported the Government's initiative in seeking a multi-modal solution from among the options for access to Hastings.

Before the study was commissioned, there were putative plans for improvements to the A21 and for a bypass around Hastings. That was a road-based solution to access, which, alone, would have been a lost opportunity. The multi-modal study therefore has as its objective to improve access to Hastings and find solutions to regeneration and land use planning pressures, and to see whether options other than roads could achieve those objectives.

The A21 improvement is the most important aspect of the road links between the M25 and the industrial estates in Hastings: it is not just business opportunity that is lost by the A21 track that masquerades as a trunk road, but many lives as well. The appalling carnage on the A21 and the resultant financial costs would justify the improvements that we seek.

The environmentally contentious bypass is of equal importance. I wish that it was unnecessary. The question that the study was intended to address was whether a non-road solution would achieve the objective. In my opinion, and in the opinion of the access study that was presented to my right hon. Friend's Department at the end of February, economic regeneration of the town is not possible without building the roads and the bypass.

Public transport elements of the package are of immense importance, as the rail links are as archaic as the roads. The Charing Cross line on which I travel most days takes one hour and 45 minutes to cover the 60 miles from Hastings to London in 40-year-old trains. The link to Europe through Ashford is served by a single track, non-electrified line on which the trains are even older.

The Government were right to commission the multi-modal study, but now that the result is known the time has come for decision. Although parts of the study were somewhat woolly, it made clear recommendations: first, the electrification of the Hastings-Ashford rail line, with new stock providing a direct link to the Euro service and an alternative route to London; secondly, new in-town stations and a Bexhill-Ore metro across the town, using the existing rail structure to provide for greater local transport usage; and, thirdly, improvement to the Hastings to London Charing Cross line, including, presumably, new stock.

All that is fine and dandy, and the sooner decisions are made and implemented, the better, but the report makes it clear that public transport improvements alone will not solve the fundamental economic weakness of the area. There must also be, according to the report, improvements to the A21 and the construction of the Hastings bypass. The A21 is perhaps one of the worst roads in Britain. It is said that King Harold was so delayed in coming down the A21 to meet William the Conqueror that William claimed victory when Harold failed to show.

I know that the bypass in particular is environmentally sensitive. I do not rubbish the ideas of the environmental groups that oppose the bypass; I simply think that they are wrong. Their objectives are laudable, but their approach is too narrow. The roads are essential; without them, we cannot secure economic gains or relieve the urban environment.

I shall briefly explain those two objectives. Hastings has little employment land available within the borough. Likewise, housing land, as required by my right hon. Friend's Department in Hastings and Rother, is difficult to identify. However, at Woosnam farm in north Bexhill, which would be opened up only by the building of the bypass, the opportunity exists to create some 3,800 jobs and meet Rother's house building obligation, all within a four or five-mile radius of the unemployed of Hastings.

As far as I am aware, the A259 is the only main trunk road in Britain that transverses the seafront of a major town. It blights the lives of 10,000 of my local constituents and shakes apart some six conservation areas. There is, therefore, a trade off between the rural environment and the urban environment. For my part, I consider both to be equally important. To some extent, I think that the urban environment should have priority when the lives and health of so many of my constituents are so badly blighted by the current pollution and traffic jams that they must endure. In many ways, it should be said that people are more important than plants.

Let me tell the House about the lady whom I met in hospital last Christmas. She was suffering from asthma, and from behind her oxygen mask, she said, "Please, Mr. Foster, get that traffic off the Bexhill road." It was there that she lived. She and many of her neighbours are suffering a higher incidence of asthma that cannot be explained other than by traffic pollution.

Of course, the Government are trying to limit pollution from motor vehicles and are giving incentives. That is to be commended, but in order to make changes of significance here and now, the environmentally conscious Labour council in Hastings needs space to create traffic management measures to reduce traffic flow on the A259. It cannot do so without an alternative route, and no such route exists without the bypass. In Hastings, the bus companies will not even run extra buses on the A259 Bexhill road, because congestion is such that they cannot guarantee a timetable.

I know that the opponents of road building claim that the package will not mean extra jobs, because the new homes that the scheme envisages will create additional demand for jobs. That argument is invalid, because as the Department of the Environment, Transport and the Regions is requiring additional housing to be built in any

[Mr. Michael Jabez Foster]

event, it follows that any additional need for jobs will arise whether or not the bypass is built. Without the bypass, however, there is no opportunity to provide the jobs that would be demanded.

I want to impress on my right hon. Friend the Minister that, although a vocal minority, which comes mostly from outside the area, is opposed to the bypass scheme, this is not another Newbury. It is not a precedent or the start of a south-coast motorway. All that we ask for is a modest single-track relief road around the north of Hastings and Bexhill. In Newbury, the town was divided. In Hastings, it is united. There is all-party support. East Sussex county council and Hastings borough council are 100 per cent. behind the total package. The South East England regional assembly—the very body that my right hon. Friend the Secretary of State set up to advise on these matters—voted by 100 votes to eight to recommend that the integrated package be approved. If local democracy means anything, that must be taken into account. In Hastings, regeneration is vital. My constituents do not want handouts for ever more. They want a hand up, which is what the package will provide. It means prioritising rail and public transport, but as my right hon. Friend the Minister has accepted elsewhere, it also means that roads may form part of a solution.

So, what I ask my right hon. Friend tonight is this: first, will either he or one of his ministerial colleagues visit my constituency to see the problem for themselves? I know that such a visit will graphically express the need for a positive decision, more than any oral submission could ever do. I have never understood the logic—or, for that matter, the legal authority—of the advice that Ministers have received to avoid such a visit. It may have been given because a visit would take too long, and I can understand that. I ask, therefore, that he and his colleagues think again.

Secondly, my constituents need an early answer. I acknowledge that my right hon. Friend's ministerial colleagues in the Department have had the report only since the end of February, but it was accompanied by overwhelming advice from SEERA and other authorities, so surely the decision cannot be that difficult. I would welcome an indication from him on when a decision will be made.

Thirdly, if the decision on the bypass is so sensitive that, despite the clear unequivocal advice of all those who have been asked to comment, it is still to be further reviewed, cannot the balance of the package, including the A21 improvements, be approved, as has occurred elsewhere? I understand my right hon. Friend's dilemma, although I do not appreciate it, but I am a pragmatist, so I would welcome an immediate decision on the parts of the package that are not hotly in dispute.

Fourthly, I would welcome assurance from my right hon. Friend that the position remains that which was set out in a letter that I received from Lord Whitty on 28 March. The letter said that the decisions made on that day in respect of other schemes had no impact on the outcome of the Hastings study, as some believed. In particular, I was informed that

"no decision whatsoever has yet been made".

Finally, although an ultimate "yes" to the integrated package is expected, it would be helpful to those who want to invest in our town, but who are awaiting a decision, to know the timetable within which a decision will be made.

11.49 pm

The Minister for Housing and Planning (Mr. Nick Raynsford): I thank my hon. Friend the Member for Hastings and Rye (Mr. Foster) for raising this extremely important topic and for his lucid, cogent presentation of his case. It was interesting to learn of his lifelong commitment to his town and to hear at first hand the impact that congestion is having on the economic and environmental well-being of Hastings and the surrounding areas. He set out the economic and social case for transport improvements very clearly. He treated us to fascinating speculation about how the course of British history might have been altered if some of the improvements that he seeks had been in place some 935 years ago.

The Government recognise that both quality of life and a prosperous economy depend on transport. Motor vehicles have revolutionised the way we live, bringing greater flexibility and widening horizons, but the way we use our vehicles has a price for the economy, for our health and for the environment. Integrated transport is designed to extend choice and to provide a transport system that is safe, efficient, clean and fair. It will provide more choice, better public transport, less pollution and better protection for the environment.

The environment-transport interface, which is important throughout the country, is especially prominent in the south-east, where population pressure is strong, car ownership and usage levels are high and one third of the land is designated as an area of outstanding natural beauty. Good communications are central to the economy and our quality of life. These are complex issues, and there is no single panacea.

It may be helpful if I first set the multi-modal study in its wider policy context. The Government's 1998 roads review, "A New Deal for Trunk Roads in England", a daughter document to the White Paper, "A New Deal for Transport: Better for Everyone", set out for the first time our view of the role of trunk roads within a fully integrated transport policy. It reviewed the long wish-list of trunk road schemes that the Government inherited against our key criteria for transport: accessibility, safety, economy, environmental impact and integration.

As a result of the review, we introduced a well-focused, targeted programme of improvements, or TPI, to the trunk road and motorway network. The TPI originally included 37 schemes that met the criteria that I have set out, and following further announcements since 1998, it now includes 49 schemes, all of which we are committed to delivering.

However, the roads review also recognised that there were many serious and urgent problems on our trunk road network which were not addressed by that programme of improvements. Many of those problems were particularly complex and could be addressed only by looking across the piece at all transport issues. We therefore commissioned a series of major transport studies to consider those issues in depth.

The programme of studies, finalised in March 1999, included the "Access to Hastings" multi-modal study. We recognised that as one of the most urgent cases and put it

into our first tranche of studies. The aim of the multi-modal studies is to investigate problems in all transport modes and to seek balanced solutions that contribute to our integrated transport policy by protecting the environment and supporting sustainable economic growth.

The primary aim of the "Access to Hastings" study was to consider how transport could contribute to regenerating the economy of the area in and around Hastings and Bexhill, while minimising the impact on areas of outstanding natural beauty and sites of special scientific interest. In particular, the study was asked to consider the role of four existing trunk road schemes in providing a solution: the A21 Tonbridge-Pembury bypass, the A259 Bexhill-Hastings western bypass, the A259 Hastings eastern bypass and the A259 Pevensey-Bexhill improvement. As my hon. Friend said, the multi-modal study also covered rail links to London, Ashford and the channel tunnel.

The scope and content for the A259 schemes within the study was set out in the Secretary of State's interim decision letter of July 1998. That set out his "minded to" decision to make the orders for the A259 Hastings western bypass, subject to the scheme's regeneration impact, as determined by the "Access to Hastings" multi-modal study.

My hon. Friend has invited me or one of my colleagues to visit Hastings to see at first hand the case for the A259 bypass. I put it to him that that is not possible, because of Ministers' quasi-judicial role in this process. As my hon. Friend expressed some uncertainty, it may be helpful if I put on record the nature of that quasi-judicial role.

Draft statutory orders are published under the Highways Act 1980 and the Acquisition of Land Act 1981. An environmental impact assessment is published alongside the draft orders. When made, those orders give the Secretary of State the statutory authority to carry out a road improvement scheme. If there are any unresolved statutory objectors to the published orders, a local inquiry is held. The inquiry, like the one held into the Hastings schemes, is conducted by an independent inspector.

After considering the inspector's report of the inquiry and his recommendation, the Secretary of State issues his decision on the orders. If the decision is that the scheme should proceed, the orders are made taking into account any modifications recommended by the inspector that the Secretary of State has accepted.

If a proposed modification makes a substantial change to the published orders, the views of interested parties affected by those modifications must be taken into account. Circumstances can arise that require supplementary draft orders to be published which would be subject to the same procedure as the main orders, and an inquiry would be held if necessary.

The Secretary of State acts in a quasi-judicial role in taking decisions on orders authorising trunk road schemes that have been to local inquiry. The guiding principles for taking such statutory decisions are that the Secretary of State must be evenhanded in dealing with all interested parties, must follow the procedure rules scrupulously and must have regard to the rules of fairness and natural justice as developed by the courts.

Mr. Foster: I understand my right hon. Friend's point about the statutory obligations, but do those obligations prevent the visit from taking place, provided that the Secretary of State is not subject to canvassing or lobbying by any group? Perhaps he could see both groups at the same time. Is there anything in the provisions that says he cannot attend an area over which he is making a decision?

Mr. Raynsford: It is difficult for the Secretary of State or a Minister to visit an area and see all the factors that may be considered relevant by all the people who may have an objection, and to make himself available to all the parties who have an objection. In such complex matters, there may be modifications that could lead to further objections. It would put the Secretary of State in an almost impossible position to make a visit and to maintain the principle of evenhandedness, which is fundamental to the performance of the quasi-judicial role. That is why the Secretary of State, by custom, does not visit an area that is subject to a major inquiry of this nature.

I speak with some authority on this subject as the Minister responsible for planning procedures with an analogous quasi-judicial role. Planning Ministers must be extremely careful about accepting invitations to visit sites where planning applications may be considered by the Secretary of State in due course. I hope that my hon. Friend understands and accepts that there is not a reluctance to see the circumstances of an area. I visited his area some time ago at his invitation, when I had no involvement in this process.

I reassure my hon. Friend that we recognise the urgent need to encourage a social and economic renaissance in Hastings. As he emphasised, the index of local deprivation recognises Hastings as one of the most deprived areas in the south-east. As such it receives significant regeneration funding: around £35 million is already committed to the area in the period to 2007, mainly under the single regeneration budget, but also from objective 2 funds and through the neighbourhood renewal programme.

We recognise that if we are to maximise the investment, we must get the provision of transport infrastructure and services right. However, the relationship between economic regeneration and transport improvements is extremely complex. The right transport investments can open up areas to new markets, opportunities and investors; but get it wrong, and new transport schemes could drain further an already depressed area. That difficult issue was central to the Hastings study.

As I have said, the issues are complex. It may be helpful if I say a little more about the process involved in the study. A consortium led by Steer Davies Gleave was appointed, following competitive tender, in November 1999. This was the first study to get under way. The Government office of the south-east led and financed it, but we thought it essential to involve all other key interests on an equal basis. Thus, as with all the multi-modal studies, we established a steering group that was responsible for the management and direction of the study. Membership was wide, incorporating all district and county councils directly involved in the study's coverage, as well as the Strategic Rail Authority, the Highways Agency, the regional development agency, and other business and local environmental groups.

The study went through a well-structured process. It analysed in depth the economic transport and planning issues in the study area; the consultants identified a range

[Mr. Raynsford]

of possible measures to address the problems, and assembled them into a number of strategies. The possible impacts of the packages were then appraised in detail, to obtain a broad picture of the costs and benefits of the different options. The focus of the work concentrated on the economic and environmental impacts. The consultants broke new ground in their analysis of the potential impact of transport measures on a local economy, and provided a comprehensive analysis of the existing economies of Bexhill and Hastings.

Fundamental to the process was a comprehensive consultation exercise. Emphasis was placed on giving people and interested organisations opportunities to participate in problem identification, strategy formulation and the derivation of solutions. It was intended that inviting greater involvement, including newsletters and telephone interviews, would make the solutions more appropriate, and—importantly—more fully understood by a broad spectrum of the community.

The consultants' final report was agreed by all members of the steering group at the end of November 2000. The report provided an analysis of current and future transport problems in the study area, identified solutions based on transport, economic and environmental data and the extensive consultation process, and recommended solutions in the form of a preferred strategy.

The preferred strategy identified by the consultants is in four parts, to which my hon. Friend referred. The first concerns the public transport elements. The consultants recommended the provision of a Bexhill-to-Ore metro service and a new railway station at Glyne Gap, the electrification of and infrastructure improvements to the Ashford-to-Hastings line, an enhanced local rail service between Wadhurst and Tonbridge, strengthened quality bus partnerships, and other supporting measures.

Secondly, the consultants made firm recommendations on highway improvements. They recommended that an online widening of the A21 from Tonbridge to Pembury to "dual two" standard be taken forward to statutory processes; they also recommended that the A259 Pevensey-to-Bexhill dual carriageway improvement should not proceed.

Thirdly, the consultants concluded that more work should be undertaken to investigate opportunities for further improvement in a multi-modal context along the A21 corridor, particularly in the light of sensitivities surrounding the area of outstanding natural beauty through which the route passes.

Fourthly, the consultants considered the case for the A259 Bexhill and Hastings western bypass and A259 eastern bypass schemes. They analysed the potential impacts of the bypasses. In terms of regeneration, they concluded that the bypasses could provide between 2,500 and 3,000 additional jobs; however, they also felt that the balance of argument was such that they could not make a recommendation on whether the bypasses should proceed. While they might improve the potential for regeneration, that needed to be balanced against the Government's strong presumption against schemes that would significantly affect environmentally sensitive areas, or important species, habitats or landscapes.

In the case of the Hastings study, the western bypass would need to proceed on a viaduct across the Combe Haven site of special scientific interest; and a modified junction, at the western end of the bypass at the junction with the existing A259, is within the Pevensey levels SSSI, which is also listed as a wetland of international importance under the Ramsar convention on wetlands.

The eastern bypass runs through the sensitive Brede valley area within the High Weald area of outstanding natural beauty. The consultants thus concluded that decision makers should consider the output of the study on the basis of two strategies, one with and one without the proposed bypasses. The consultants estimated that the strategy without the bypasses would cost £90.3 million at 1999 prices, and that, with the bypasses, the cost would be £225.8 million.

The steering group commended the consultants' report to the regional assembly, suggesting consideration in the context of wider regional objectives. A covering letter reflecting the considerations of the steering group accompanied the submission to the regional assembly. The letter reflects the fact that the group reached consensus on many issues and, indeed, many of the recommendations. There was not a consensus view in the steering group, however, with regard to the bypass schemes. A majority considered the case was sufficiently strong to proceed, although the case was not overwhelming.

As my hon. Friend said, the regional assembly considered the final report at its plenary session on 14 February and submitted its recommendations to my right hon. Friend the Secretary of State for the Environment, Transport and the Regions on 21 February. The assembly reported that the transport strategy on the bypasses would, in its view, give the best chance for the effective renaissance and regeneration of the area. It qualified its support by considering that the transport package should be viewed as part of a wider strategy for regeneration.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at six minutes past Twelve midnight.

Deferred Divisions

NORTHERN IRELAND

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2001, which was laid before this House on 27th March, be approved.

The House divided: Ayes 350, Noes 9.

Division No. 174]

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris

Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Speller, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Trimble, Rt Hon David
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

NOES

Donaldson, Jeffrey
McCartney, Robert *(N Down)*
McCrea, Dr William
Mawhinney, Rt Hon Sir Brian
Paisley, Rev Ian
Robathan, Andrew
Robinson, Peter *(Belfast E)*
Taylor, Sir Teddy
Winterton, Nicholas *(Macclesfield)*

Question accordingly agreed to.

Waste Electrical and Electronic Equipment

That this House takes note of European Union Document No. 10802/00, draft directives on waste electrical and electronic equipment and on the restriction of the use of certain hazardous substances in electrical and electronic equipment; notes the Government's current negotiating line on the Document; and supports the Government's actions.

The House divided: Ayes 346, Noes 126.

Division No. 175]

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*

Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pickthall, James
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sloate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Key, Robert
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Madel, Sir David
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel

Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Question accordingly agreed to.

SOCIAL SECURITY

That the draft Social Security (Breach of Community Order) Regulations 2001, which were laid before this House on 20th March, be approved.

The House divided: Ayes 435, Noes 38.

Division No. 176]

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Amess, David
Ancram, Rt Hon Michael
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Austin, John
Bailey, Adrian
Baldry, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beggs, Roy
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bercow, John
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Blunt, Crispin
Boateng, Rt Hon Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brinton, Mrs Helen
Browne, Desmond
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burden, Richard
Burns, Simon
Butler, Mrs Christine
Butterfill, John
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Dr Michael *(Rayleigh)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Collins, Tim
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cormack, Sir Patrick
Corston, Jean
Cousins, Jim
Cox, Tom
Cran, James
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curry, Rt Hon David
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Dawson, Hilton
Day, Stephen
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Duncan, Alan
Duncan Smith, Iain
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Elman, Mrs Louise
Emery, Rt Hon Sir Peter
Ennis, Jeff
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fox, Dr Liam
Fraser, Christopher
Fyfe, Maria
Gale, Roger
Galloway, George
Gardiner, Barry
Garnier, Edward
Gerrard, Neil
Gibb, Nick
Gibson, Dr Ian
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gummer, Rt Hon John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Rt Hon Sir Archie
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Harman, Rt Hon Ms Harriet
Hawkins, Nick
Hayes, John
Heald, Oliver
Healey, John
Heathcoat–Amory, Rt Hon David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Howarth, Rt Hon Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Key, Robert
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lammy, David
Lansley, Andrew
Laxton, Bob
Leigh, Edward
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Lilley, Rt Hon Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Robert *(N Down)*
McCrea, Dr William
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGrady, Eddie
MacGregor, Rt Hon John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, Rt Hon Andrew
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Madel, Sir David
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*

Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Maxton, John
May, Mrs Theresa
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Moss, Malcolm
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norman, Archie
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickles, Eric
Pickthall, Colin
Plaskitt, James
Pope, Greg
Portillo, Rt Hon Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prior, David
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Randall, John
Rapson, Syd
Redwood, Rt Hon John
Reid, Rt Hon Dr John *(Hamilton N)*
Robathan, Andrew
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Cov'try NW)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
St Aubyn, Nick
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Soley, Clive
Spellar, John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Streeter, Gary
Stringer, Graham
Stuart, Ms Gisela
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Todd, Mark
Touhig, Don
Tredinnick, David
Trend, Michael
Trickett, Jon
Trimble, Rt Hon David
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Tyrie, Andrew
Viggers, Peter
Vis, Dr Rudi
Walley, Ms Joan
Walter, Robert
Ward, Ms Claire
Waterson, Nigel
Watts, David
White, Brian
Whittingdale, John
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek
Yeo, Tim
Young, Rt Hon Sir George

NOES

Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Hancock, Mike
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Livsey, Richard
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil

Question accordingly agreed to.

House of Commons

Thursday 5 April 2001

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL (*BY ORDER*)

Order for further consideration, as amended, read.

To be further considered on Thursday 26 April.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

British Horticulture

1. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the future of British horticulture. [155678]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The Government attach great importance to the future of our horticulture industry. We assist the sector through a programme of strategic research and development, costing about £10.8 million in the current year. In addition, new schemes launched under the England rural development programme will provide opportunities for the horticulture industry to improve its competitiveness.

Mr. Brady: Does the Minister agree that, at a time of crisis in the rural economy, the 30 per cent. of agricultural employment provided by horticulture is more important than ever? Does she also agree that the proposed increase in fees by the Pesticides Safety Directorate from £470 to £1,285 for specific off-label approval will be a damaging additional burden for horticulture, and will cause the sort of research and development expenditure to which she referred to be scaled back?

Ms Quin: We are looking at that issue. I am certainly keen to ensure that the horticulture industry does not bear increased burdens at such a difficult time for agriculture generally. I strongly agree with the hon. Gentleman about the increased potential for horticulture in this country. Although much of the fruit, for example, that is imported could not be grown here, we could grow many of the vegetables that at present we import. There is therefore considerable potential, and the Government are working actively with the industry to identify a range of opportunities for expansion.

Mr. John Grogan (Selby): Will my right hon. Friend congratulate Yorkshire's horticultural growers who, with support from all around the country, have created and funded the Stockbridge technology centre? This week, the centre took over the management of the world-famous horticultural research facility at Stockbridge house in my constituency, only months after the facility was earmarked for closure—much to the consternation of the industry—by Horticultural Research International.

Ms Quin: I certainly pay tribute to my hon. Friend for what he has done to secure both activity at the Stockbridge site and the work being done there by the organisation to which he referred. I know that he has had a number of meetings with MAFF Ministers to ensure a good use of the Stockbridge site and also to ensure that some of the work being done in his constituency complements other work being done to assist the horticulture industry generally throughout the country.

Mr. Tim Boswell (Daventry): Given that many growers are heavily dependent on direct sales from their holdings, as I have been in the past, what assessment has the Ministry made of the indirect effects of the foot and mouth epidemic in inhibiting people from travelling to horticultural or mixed holdings to make direct purchases?

Ms Quin: The hon. Gentleman is right to raise the matter. Obviously, we do not want to encourage any movements that might compromise the fight against foot and mouth disease, but at the same time we do not want to restrict unnecessarily bona fide movements that would help the horticulture industry. The best way to resolve the matter is through continuing discussions with the Horticultural Trades Association and other representatives of the industry.

Food Manufacturing (Foot and Mouth)

2. **Mrs. Betty Williams** (Conwy): What discussions he has had with representatives of the food manufacturing sector on the effect of the foot and mouth outbreak on their industry. [155679]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): This week I have met representatives of the Food and Drink Federation, the Institute of Grocery Distribution, the British Retail Consortium, the Provision Trade Federation, the British Meat Manufacturers Association, Dairy Crest, Express Dairies, Nestle, Tesco, Sainsbury, Asda and Morrison's. This is in addition to the weekly meetings with food chain representatives and others which my right hon. Friends the Ministers of State chair.

Mrs. Williams: I thank my right hon. Friend for that answer. Will he confirm that many more people are employed in the food manufacturing industry than in

farming? Will he assure the House that serious attention is being given to food manufacturers, especially those who rely on export markets?

Mr. Brown: As well as meeting senior representatives of the industry, I have, as I said, put in place weekly meetings for the trade to discuss issues arising out of the foot and mouth disease outbreak. It is true that many people are employed in downstream activities such as food processing and distribution, and retailing, and that their numbers are greater than the total number of people employed in agriculture. However, the food industry is an integrated whole, and I never lose the opportunity to emphasise to everyone that it is a great British industry and that we all have a vested interest in the well-being of the different parts of the chain.

Mr. Eric Pickles (Brentwood and Ongar): Does the Minister agree that consistency of advice is important, especially in respect of dairy products? Yesterday, at the seminar that the right hon. Gentleman kindly organised, a question was asked about whether cattle should be put out to pasture. The advice given was that there was no problem, provided that they were kept at least 100 m away from sheep. However, on the 8 o'clock BBC News this morning, it was announced that the right hon. Gentleman would be telling the House that the Government would be discouraging farmers from putting cattle out to pasture. What has happened in the past 18 hours to change the advice that was given yesterday?

Mr. Brown: The hon. Gentleman should not look for an inconsistency where none exists. It is perfectly true that if cattle are put out to graze on their own, without any other animals being present, their vulnerability is greatly reduced. However, the presence of sheep that might carry the infectivity poses an enormous danger to dairy animals. That is why, working very closely with the National Farmers Union, we are trying to keep the dairy animals housed for as long as we can so that the culling policy, especially relating to fat sheep in Cumbria, has a chance to take the fullest possible effect.

Foot and Mouth

3. **Ms Julia Drown** (South Swindon): When he forecasts that the incidence of foot and mouth outbreaks will start to decline. [155680]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): On the basis of independent scientific advice, the Government's chief scientific adviser has concluded that the Government's slaughter and containment policy is beginning to bear down on the disease. Nevertheless, this is a very serious outbreak, which is likely to have a long tail. The critical interventions in controlling the disease are to cull all animals susceptible to foot and mouth disease on infected holdings within 24 hours, and to cull all susceptible animals on farms sharing a boundary with the infected premises within 48 hours. We will be better placed to predict the future development of the disease in a week's time.

Ms Drown: I welcome my right hon. Friend's optimism and recognise the huge difficulties in predicting the decline of such an infectious disease. That good news is also good news for the tourism industry. One issue that farmers in my constituency are raising with me relates to the welcome opening of more footpaths. They are concerned that footpaths that are close to livestock may be reopened. Can my right hon. Friend assure them that proper guidance will be sent to councils and to farmers via the very good network of NFU contacts so that people can be assured that all precautions will be taken?

May I also pass on another concern from local farmers? Transporter vehicles have to travel long distances to disinfection points. Can my right hon. Friend assure farmers that that policy will be examined to see whether the distances can be reduced?

Mr. Brown: We are examining whether we can open further disinfection points. My hon. Friend is absolutely right to point to the key advice that people should stay away from farmed livestock, but that is all the advice. There is no reason why people cannot enjoy footpaths. I can assure my hon. Friend that the Government will issue comprehensive advice on precisely that point.

Mr. Tom King (Bridgwater): As the key factor in ensuring that this terrible crisis abates is to effect the rapid slaughter and disposal of animals, has the Minister's attention been drawn to the report produced in 1968 by Western Command on the military impact and the efforts of the troops? It shows how they structured the recommendation to have a civilian commander with responsibility for veterinary matters and relations with Ministries and a military commander with total responsibility for dealing with the administration logistics of the slaughter and disposal of animals. Has that structure been recommended to the Minister? It was recommended after 1968. Can it be introduced now in view of the critical need to take a more urgent approach to the disposal of animals?

Mr. Brown: The structure that the right hon. Gentleman describes sounds to me very much like what is actually happening in Cumbria, Devon and other hotspots. If there is some difference in nuance that he wishes to raise or pursue, I am happy to discuss it with him, but there is no division between the approach taken by military and civilian personnel. They are all working very well together to a common shared objective.

Mr. Derek Foster (Bishop Auckland): Despite what my right hon. Friend has said, the perception in Bishop Auckland, where there are 17 confirmed cases, is that the situation is still getting worse. Will he please guarantee that he can get sufficient resources to the command in the north-east of England to ensure that the cull of animals on adjoining farms can be accomplished within 48 hours?

Mr. Brown: My right hon. Friend is right. Indeed, I visited the north-east headquarters of the disease control operation last Sunday. In response to representations from my right hon. Friend and others, I have ensured that extra resources—especially extra veterinary resources—are allocated to the north-east of England to give his constituents the reassurance to which they are entitled.

Mr. Colin Breed (South-East Cornwall): Will the Minister confirm what he believes are the grounds for the

guarded optimism that we heard yesterday? Does he share entirely the views of the chief scientific adviser? If so, and if we are seeing the beginning of the end, will he give his attention to movement licences in unaffected areas? Many farmers are substantially affected, even though they are not in affected areas.

Mr. Brown: I keep the issue of movement licences carefully under review, but I am not yet in a position to announce any liberalisation of the regime. I hope that what the chief scientist says is right, but I am not able to confirm it yet. As I said, we need a further seven days to get a better take on the pattern of this serious disease outbreak. In the meantime, we should not relax our guard; there is no room for complacency.

Mr. Lindsay Hoyle (Chorley): Obviously, I listen carefully to the news that is given to the House. However, I wonder whether the use of landfill sites for carcases may spread the disease in areas where we had not previously seen it, because animals graze right up to such sites and there is great danger. Would we not be better off rendering the animals?

Mr. Brown: Farmed livestock are, of course, kept away from landfill sites. The risk of spreading the disease through the movement of vehicles to landfill sites is minimal and, of course, the risk of the disease re-emerging from such sites is even lower than very, very minimal.

Miss Anne McIntosh (Vale of York): Does the Minister agree that the defining moment for whether the incidence is in decline or on the increase will be on or about 23 April? He referred to cattle coming out of winter shelter and going to spring pastures. However, it is not good enough for the Ministry to say that the animals should be kept indoors, when farmers have no money to feed the beasts. In many instances, there are also animal welfare considerations. Yesterday, the Minister's scientific experts told us that there must be a distance of 100 m or one field separating cattle and sheep. If MAFF fails to control the disease on that date—23 April—does the Minister accept that its incidence could rise to 400 cases per day?

Mr. Brown: No, I do not accept the forecast to which the hon. Lady treats the House. The policies we are pursuing are right. It is right for the Government to work with the NFU leadership to keep valuable dairy stock housed for as long as possible so that the risk of their exposure to the disease is minimised. She is right to say that the animals will have to be turned out, but is wrong to say that the date on which they are turned out will be the day when the policy is tested. If we do not pursue vigorously the policy on which we are embarked, we all have a duty to consider the alternatives. None of them—including the use of vaccination for dairy animals—is easy, and they are being resisted by the industry, especially by the farmers who own the animals.

Mr. Dale Campbell-Savours (Workington): Will my right hon. Friend refer to Brigadier Birtwhistle the thanks and appreciation of all Members of the House for his sterling work? For many of us, the brigadier has restored the belief that people in public service do a first-class job.

Will my right hon. Friend tell us whether it is scientifically possible to vaccinate cattle without a delayed cull?

Mr. Brown: The answer to the second question is obviously yes. Indeed, among the strategies that the Government are considering but have not adopted, and that are not being announced today, is the possibility that valuable dairy animals could be vaccinated and live on—the vaccine would wear off over the next 12 months. That strategy is possible, but there is a downside too, including issues of trade and consumer acceptance.

On the work of Brigadier Birtwhistle and his men, I have seen at first hand the excellent work that the armed services are doing in Carlisle, working alongside civilian personnel to a common objective. My congratulations go out to everyone—both civilian and military personnel, who are working so hard throughout the country to get this terrible disease under control and to eliminate it.

Mr. Tim Yeo (South Suffolk): I warmly welcome the latest, more encouraging projections about the future scale of the outbreak and very much hope that those will be confirmed by events in the next few weeks. Will the Minister confirm that, as his Ministry's figures show that 277,000 animals were awaiting slaughter on Tuesday of last week and that only 229,000 were slaughtered in the following seven days, at least 48,000 infected or dangerous contact animals remained unslaughtered for at least a week? As that shows that the Government are still a long way from meeting the 24-hour report-to-slaughter target described two weeks ago by the chief scientific adviser as essential if foot and mouth disease is to be brought under control, will the right hon. Gentleman undertake to continue to publish daily figures for the number of animals awaiting slaughter, the number being slaughtered and the number of carcases awaiting disposal?

Mr. Brown: The hon. Gentleman's approach is mistaken. The crucial intervention is between report and slaughter. We must get those figures down to under 24 hours. That is the advice from the epidemiologists and it was what we have set out to do. The hon. Gentleman is looking at animals that have been ordered for slaughter in infected premises and on neighbouring premises. The slaughter of animals on neighbouring premises is necessary, but it is an intervention of less significance—although important—than culling animals on infected premises. In fact, vets as a matter of routine are first slaughtering animals on infected premises that show signs of infection, before slaughtering the cohorts. To enable the House to understand the full range, for every three cases that are reported—that is what triggers the veterinary inspection—two turn out to be false alarms and only one is a real outbreak.

Mr. Yeo: Given what the Minister has said, will he therefore undertake to publish a separate figure within the total of animals awaiting slaughter for those that are infected and need to be slaughtered within the 24-hour target and those that are simply on neighbouring farms, for which I understand the target is 48 hours? The figures that I quoted show that even that lesser target is a long way from being met. Will he also confirm that as of today, about 1.5 million animals are awaiting slaughter under the welfare disposal scheme and that many of them are

experiencing distressing animal welfare problems? What steps is he taking to clear that massive backlog and will he also publish regular figures so that progress can be publicly measured?

Mr. Brown: I have answered the hon. Gentleman's first question. The second was a perfectly proper question about the animal welfare scheme, which has proved to be very popular. If the industry were working completely normally, it would take five weeks of normal consumption to clear the animals that are being proposed for the scheme. This is a new scheme and it has been set up from a standing start. We have started to take animals away on a priority basis. The purpose of the scheme is to deal with genuine welfare issues. The hon. Gentleman is right to say that there is a backlog and we are trying to clear it, but I cannot promise the House that that will be easy given the popularity of the scheme.

Mr. Phil Sawford (Kettering): In Northamptonshire, as a result of one confirmed case, movements are restricted in a huge swath of my constituency, which leads to animal welfare and financial problems, and other farmers are falling foul of the BSE rules under the over-30-months scheme. Will my right hon. Friend look at the area covered by those restrictions and the time scale for them? Will he also look at the discrepancy between the 75 per cent. paid under the 30-months rule and the 100 per cent. paid under the foot and mouth rules, because some farmers are losing out through no fault of their own?

Mr. Brown: A number of anomalies are created by the movement restrictions, and they are unavoidable if we are to bear down on the disease. I will do what I can to help, and I promise my hon. Friend that I will look at the issues that he raises. However, I cannot move away from the very firmly imposed movement restrictions if we are to have any chance of eliminating the disease and returning quickly to normal trade.

Agricultural Imports

4. **Mr. John Bercow** (Buckingham): If he will make a statement on agricultural imports from other EU countries. [155681]

7. **Mr. Robert Syms** (Poole): If he will make a statement on agricultural imports into the United Kingdom. [155684]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The total value of imports of food, feed and drink last year was £17 billion, £10.9 billion of which was imported from the European Union. Meat imported from other EU member states must be produced in conformance with EU laws on meat hygiene and on controlling the risks of BSE. Imports of meat from non-EU countries are allowed only if the country and the meat plant involved have been approved by the EU Commission as producing to standards at least equivalent to those applicable in the EU.

My right hon. Friend is in contact with Commissioner Byrne and has requested that an examination of the legislation and enforcement measures relating to the controls on imports of animal products into the EU takes place at the earliest opportunity. I shall reinforce that message with colleagues in the EU Agriculture Council this weekend.

Mr. Bercow: I am grateful to the right hon. Lady for that answer. Given the flow of imports that do not satisfy the meat hygiene or animal welfare standards that we rightly demand of our own produce, will the Minister now impose a precautionary ban on German and Dutch beef, protect the public from the illegal inclusion of animal products in consignments of non-animal products, and introduce honesty-in-labelling legislation so that consumers can know the country of origin and method of production of food and make a free and informed choice of what to buy?

Ms Quin: On the hon. Gentleman's last point, he will know that, under this Government, new beef labelling rules have been agreed that are much stricter than was the case before. He will also know that the Food Standards Agency is examining 100 per cent. of the meat imported from Germany and the Netherlands to ensure that there is no risk of specified risk material coming into this country. As a result of the FSA's investigations, there has already been a suspension of activities in abattoirs in Germany.

Mr. Syms: Will the Minister set out in detail what action Ministers took when Mr. Clive Lawrance alerted them in May last year that hundreds of tonnes of illegally imported meat was coming through Heathrow airport?

Ms Quin: Mr. Lawrance rightly drew attention to a number of instances where illegal products had been discovered. His comments and observations were passed on Customs and Excise. Furthermore, Mr. Lawrance wrote to me in March this year. I acknowledged his letter straight away because he mentioned foot and mouth disease, and I have since responded to him in full and have also asked him to contribute to the work that we are doing on the review of import controls.

The hon. Member for Buckingham (Mr. Bercow) mentioned honesty in labelling. This Government have made greater progress on labelling than anything that was done under the previous Government. That is certainly true of meat labelling. On previous occasions, I have recommended the work of the Ministry's verification officer in changing misleading labels in supermarkets.

Charlotte Atkins (Staffordshire, Moorlands): Does my right hon. Friend agree that in view of the devastation that has been caused, there is a very good case for a total ban on the personal imports of meat and meat products into the European Union? Recently, a group of students from my constituency went to France, and they were not even allowed to take a packet of crisps into that country. Does she further agree that we need to take urgent action? I urge her to press this issue with her European colleagues next week.

Ms Quin: My hon. Friend is right; this issue needs to be considered urgently and it needs to be considered at the European level. At the same time, as my right hon. Friend the Minister made clear, we are also leading a

cross-departmental review on the ways in which we can ensure that our national controls, as well as the European Union controls, are as effective as possible.

Mr. Ian Davidson (Glasgow, Pollok): Does my right hon. Friend accept that many countries outside the European Union—for example, Botswana—produce meat to the highest possible standards? Does she also accept that many developing countries want trade not aid? Will she take this opportunity to move away from the protectionism of the common agricultural policy and encourage the purchase of more meat from third-world countries which seek the opportunity to sell to the EU?

Ms Quin: I am grateful to my hon. Friend, who makes a very important point. Some countries have high standards and, in this debate, we must avoid jingoism and false patriotism. On the other hand, we must be vigilant to ensure that sub-standard meat does not enter the country.

Mr. Malcolm Moss (North-East Cambridgeshire): The Minister's officials confirmed last year that the outbreak of classical swine fever was caused by illegally imported meat. It would now seem that lightning has struck twice, with the preliminary finding that imported meat was the probable source of the current foot and mouth disease outbreak. How many times does disaster have to strike the agricultural industry before the Government do something about illegal meat imports?

Ms Quin: I am disappointed that the hon. Gentleman, who knows better, should present such an over-simplified version of events. He knows well that we suspect that imported meat was the cause of the outbreak of classical swine fever, but we do not have absolute proof. Quite rightly, investigations are taking place into the current outbreak. Although it is certain that some kind of imported product must have been the origin of it, another attached problem is that that product may have been inadequately treated in pigswill. That is why the Government are proposing in their consultation to end the use of pigswill.

The Government have responded to recommendations about improving and eliminating the undesirable feeding of certain mammalian products to animals in a way that the hon. Gentleman's Government did not. My right hon. Friend the Member for Copeland (Dr. Cunningham) made that point very clear in last week's debate.

Livestock Movements

5. **Mr. Mark Todd** (South Derbyshire): What representations he has received on the process for awarding livestock movement licences. [155682]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): I have received a great many representations about livestock movement licences, and there are essentially four schemes.

The movement of animals direct to slaughter has been permitted since 3 March. Local and occupational movement licences allowing short-distance movements were introduced on 9 March, and longer-distance movement licences were introduced from 17 March. For circumstances in which these schemes will not alleviate animal welfare problems, we introduced the welfare disposal scheme on 22 March. This provides free collection, transport, slaughter and disposal of animals as well as a payment to the farmer for the animals taken.

We are continuing to develop the controls and administrative arrangements for these schemes in the light of experience. However, I must emphasise that disease control has to be the top priority.

Mr. Todd: I share my right hon. Friend's commitment to tight movement controls, but do not experience of the risks and the epidemiology advice available lead us to think that we may be able to refine those movement controls? For example, could we not reconsider the 21-day standstill period, which is obligatory for local movements, and consider speeding up the process of awarding occupational licences, which can take three to four days? The sloth of that process is directly linked to the vast call on the welfare scheme that has been introduced. If we can obtain quicker and more precise movements, we may avoid some of the welfare problems that we currently face.

Mr. Brown: My hon. Friend is absolutely right: where limited trade can take place under licence, it should be the preferred route for the industry—for the farmer and the meat trade in general. As the pattern of the disease is regionalised and reducing, I envisage that it will be possible to relax the control measures in parts of the country that are disease free. Our priority must be to keep those areas disease free as we bear down on outbreaks. I know that it is hard, but strict controls and a strict licensing regime are necessary to eliminate the disease.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Given the backlog in issuing licences and the problems that farmers face in moving stock, especially from one clean area to another, may I suggest that it was hugely crass and insensitive of the Ministry to send out the integrated administration and control system forms now to be returned fully completed by 15 May? I urge the Minister to reconsider that cut-off date and, if necessary, to make representations to those in Brussels who are in charge of the scheme so that the farming community is not further penalised or subject to additional anxieties.

Mr. Brown: I am afraid that the hon. Gentleman is mistaken. It is necessary for people to complete a claim. We are able to invoke the force majeure rules in those circumstances when people, for perfectly understandable reasons, are not able to fulfil the scheme's conditions, but they must claim and explain why the force majeure rules should apply to their case. That is a reasonable way to proceed. Officials have behaved sensibly and the Commission has gone out of its way to help to us in the difficult circumstances in which we find ourselves.

Mr. Denzil Davies (Llanelli): Will my right hon. Friend look again at the granting of movement licences in unaffected areas? I understand the difficulties, but a farmer who owns two farms that are not close enough to enable him to benefit from short-distance licences might have to move cattle on animal welfare grounds.

Mr. Brown: Yes, I am happy in general to give my right hon. Friend that assurance. However, it is not a matter for me in Wales because it is a devolved responsibility.

Mr. James Paice (South-East Cambridgeshire): Given the overstretch of the Ministry's vets, would it not be sensible to allow local private vets to authorise movements within uninfected areas, so that welfare problems are resolved? On the number of animals awaiting movement and slaughter, if we accept the Minister's comments about contiguous animals being slightly less important than the infected herd for slaughter and if the 24-hour and 48-hour targets are being met, should we not expect the number of animals awaiting slaughter to fall? Is that number falling, as the Prime Minister would have us believe, or is it still rising, as figures on the Ministry's website demonstrate?

Mr. Brown: The hon. Gentleman makes the same mistake as the hon. Member for South Suffolk (Mr. Yeo) by confusing two different issues. The crucial intervention is the 24 hours between report and slaughter. Animals that show signs of infectivity are most likely to spread the disease, which is why they are culled out before cohorts on infected premises. If it is possible to cull out the neighbouring premises with the same teams—which it is, in some circumstances—that is done. If it is not, there is a delay as further slaughter teams are sent for. We should not understate the size of the problem. Some holdings have 10,000 animals on them. Although a holding might appear as one farm, the work can be substantial. Given the scale of the work, there is a necessary gap between the start and the finish of slaughtering.

Foot and Mouth (Vaccinations)

6. **Mr. Paul Flynn** (Newport, West): If he will review his policy on vaccinations of livestock against foot and mouth disease. [155683]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): Vaccination has always been an option that we have kept under constant review. The European Union Standing Veterinary Committee agreed that emergency vaccination of cattle in Cumbria and Devon could be carried out if the Government concluded that it was necessary as an additional disease-control measure.

Mr. Flynn: The disappointing thing about yesterday's seminar was its failure to provide us with a rational cost-benefit analysis of the present policies compared with the alternatives of partial or full vaccination. We know that the costs are immense—possibly £9 billion—to protect an industry that will be worth nothing for the next three years, but was worth about a third of a billion pounds at best. The cost in human and animal suffering is enormous. When the outbreak is over, in a year or two, foot and mouth is likely to return spontaneously, by accident or, most likely, by the deliberate act of a person or organisation. Will the Minister assure me that the Government will then take fully into account what happened in Albania, Macedonia, Algeria and Taiwan, where vaccination was used extensively? We should look to MAFF to represent all rural industries, and not just—

Mr. Speaker: Order. That is enough for the Minister.

Mr. Morley: I can assure my hon. Friend that we have considered the experience of countries that have used vaccination extensively, and there were problems in every case. Vaccination is an option, and we have contingency plans, as is right and proper. Sometimes it is right also to challenge conventional thinking about the way to deal with issues, and I can assure my hon. Friend that we are not afraid to do so.

Vaccines are not a panacea and there are problems with them. There is resistance to the idea within farming, and there is no consensus of approach on their use, which would be important if they were to be used. There are also problems with trade, identification and potential consumer resistance. Nevertheless, we need to consider these matters carefully and keep them under review.

Mr. Nicholas Soames (Mid-Sussex): Does the hon. Gentleman accept that ring vaccination around the worst-affected areas would have a dramatic advantage over the present policy at this time? Has he seen the excellent work done by the Elm Farm research centre, the admirable letter in *The Times* this morning from Fiona Reynolds, the director-general of the National Trust, or the work of Toby and Emma Tennant in the borders, all of whom urge that that step be taken? Of course it is a bold step, but this is a moment for bold action.

Mr. Morley: Yes, I have seen the views of Fiona Reynolds and others, and I take them very seriously. The use of ring vaccination has been considered, including as a method of damping down the disease. At present, the view is that it would not give us the same benefits as the present policy of 24-48 hours. As the House has heard, there are indications that the policy is beginning to bite into the outbreak, and we must take that into account. We are keeping our options open and we are trying to evaluate the best way of using vaccines and non-vaccine approaches.

Mr. David Lammy (Tottenham): Has there been any consideration of the use of vaccination in urban farms and zoos? My hon. Friend will appreciate that they are in special circumstances, and they are experiencing great difficulties at this time.

Mr. Morley: My hon. Friend is right to say that there are special circumstances in zoos with exotic animals and rare breeds. The EU Standing Veterinary Committee discussed the matter yesterday. Its report was submitted to the Ministry today and we will consider its recommendations to see whether there is a role for vaccination in those circumstances.

Mr. David Curry (Skipton and Ripon): Does the Minister accept that the constant public musings about whether or not to vaccinate, which were started by the Prime Minister and have continued this morning, merely add confusion, and that the job of Government is to make up their mind? While they are not doing so, it is inevitable that people will increasingly ask that vaccination be used.

If it is not to be used, the Minister simply has to make a proper calculation of the costs of the present policy of eradication by slaughter and stack that against the value of the trade that we are trying to save and the costs of the public's refusal to buy products that might flow from vaccination. Unless all those facts are in the public domain instead of general musings, the Minister will not settle the controversy and he will not win the argument.

Mr. Morley: I am surprised by the right hon. Gentleman's uncharacteristic suggestion that we should rule something out and that we should not have a debate on whether there is a role for vaccination. I stress that vaccination is not a panacea: there are severe downsides to its use. It is not the majority view in the veterinary or scientific world, although there is, of course, a minority view to the contrary. It is right and proper that we hold the option open, but it is most important that we control and eradicate the disease. The current policy appears to be bearing down on it, so it has to be the priority; vaccination is currently of secondary importance.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Serious Cases (Crown Court)

30. **Shona McIsaac** (Cleethorpes): What impact the Narey reforms have had on the speeding up of the outcome of serious cases before the Crown court. [155708]

The Solicitor-General (Mr. Ross Cranston): The new Narey indictable-only procedures that came into force on 15 January this year abolished committal proceedings for the most serious cases. Instead, following a single, brief magistrates court appearance, defendants charged with offences such as murder, rape and serious firearms or drug offences appear before a Crown court judge slightly more than a week after charge. Early indications suggest that there has been a tremendous change of culture, with some defendants in such cases wishing to indicate a guilty plea at the first Crown court hearing. In that way, even in cases such as armed robbery, sentences are being passed only nine days after charge.

Shona McIsaac: How will the Narey reforms specifically benefit the victims of serious crime or the families who are left behind? All too often, victims perceive that it takes far too long for cases to come to court; they feel neglected and that they do not know what is happening. The justice system is designed to deal with crooks and criminals, and victims often feel that crooks and criminals have more rights than they do.

The Solicitor-General: My hon. Friend makes a valid point. Obviously, the early completion of serious cases removes the upset caused to victims, witnesses and relatives and so reduces the stress and anxiety that they might otherwise feel. There is also an advantage for defendants: if they plead early, there are quite considerable sentencing discounts. The Labour Government inherited a system under which it took about 12 weeks to get such cases committed to the Crown court, and another four weeks—often more—for an indication of plea to be given, whereas these cases are now being resolved extremely quickly.

Mr. John Greenway (Ryedale): I welcome the Minister's answer. I recall the changes that took place in 1967, when I was a serving police officer; they, too, speeded up the system. The line that he is taking is the right one. Further to the remarks made by the hon. Member for Cleethorpes (Shona McIsaac), does he agree that that accelerated process now provides a golden opportunity to ensure that every victim has a Crown Prosecution Service official as a specific contact point in the handling of their case?

The Solicitor-General: That is very much our policy. As I have said on previous occasions, we are introducing a system whereby the CPS will be the first point of contact with victims. We have just received an evaluation report on the pilots and we are considering it, but later this year we will roll out exactly the sort of system that the hon. Gentleman has mentioned.

Crown Prosecution Service (Human Rights Act)

31. **Miss Anne McIntosh** (Vale of York): What recent representations he has received on the impact of the Human Rights Act 1998 on the Crown Prosecution Service. [155709]

The Solicitor-General: The representations that I have received suggest that Crown prosecutors and the courts have matched up very well to the demand that has so far been placed on them by the Human Rights Act. There has not been the chaos in the criminal justice system that some predicted. Crown prosecutors were well trained and prepared for the coming into force of the Act, and they are applying the principles of the convention with increasing confidence both during the prosecution review process and when meeting challenges based on convention rights in court—

Mr. Eric Forth (Bromley and Chislehurst): How depressing.

The Solicitor-General: The right hon. Gentleman might think that, but I think it extremely important that prosecutors were trained and ready to deal with the introduction of the Act.

As a lawyer, the hon. Member for Vale of York (Miss McIntosh) will have been able to note in the law reports the mostly unsuccessful outcomes of defendants' arguments based on convention nights.

Miss McIntosh: I thank the Minister for that very full reply. Can he provide an estimate of the cost of rearranging courts so that prisoners and accused people are no longer seen in handcuffs? Is he in a position today to make a commitment to repay to the CPS the full cost of the introduction of the Human Rights Act?

The Solicitor-General: A certain amount of money was set aside to deal with the implementation of the Human Rights Act, but most of it has not been required. Cases have not been delayed. Magistrates certainly have

to give reasons now, but that is a good thing. In some cases, defence lawyers are making arguments in the Crown court, but most of those are quickly dismissed. On the hon. Lady's specific point, there has to be a programme of modernising courts around the country, and that is now occurring

Mr. David Kidney (Stafford): Should not we all be satisfied that Crown Prosecution Service lawyers have continued to present their cases to court responsibly? Has that not largely contributed to the absence of horror stories in the media, which no doubt some editors had hoped to publish?

The Solicitor-General: That is certainly the case. In a range of cases, whether involving reverse onus provisions, privilege against self-incrimination or evidence from entrapment situations, defence challenges have not been upheld by the Court of Appeal. Although some Opposition Members have the mentality that the sky will fall in, that has not been the case.

Mr. John Burnett (Torridge and West Devon): Does the Solicitor-General agree that the pernicious consequences of plea bargaining include innocent people pleading guilty to offences that they did not commit and the guilty getting off far too lightly? Does he agree that plea bargaining is contrary to the spirit, if not the letter, of the Human Rights Act? What instructions on plea bargaining does he give the Crown Prosecution Service?

The Solicitor-General: I do not accept the premise that a breach of the Human Rights Act is involved. Clear rules are set out in various Court of Appeal decisions and guidance that the Attorney-General issued late last year on plea bargaining. Plea bargaining behind doors cannot occur, but in some cases defendants who want to plead guilty will give an indication to that effect. Provided that the matter is dealt with transparently and openly, those pleas will be accepted.

Mr. Edward Garnier (Harborough): Can the Solicitor-General list for the House three practical benefits for the CPS that have flowed directly from the implementation of the Human Rights Act?

Mr. Andrew Mackinlay (Thurrock): Justice is one.

The Solicitor-General: My hon. Friend is right. As a result of the Human Rights Act, the CPS is much more conscious of the rights of defendants. As I said, in most cases the challenges have not proved to be successful. I do have concerns; some courts are looking at cases of delay, regarding them as a breach of article 6 of the European convention on human rights, which, frankly, I do not accept. As I have said on a number of occasions in the House, we are trying to change the culture so that all public institutions will be much more conscious of the rights of ordinary people. I should have thought that Opposition Members would support that aim.

CPS (Computer Systems)

32. **Mr. Nigel Beard** (Bexleyheath and Crayford): If he will make a statement on his plans to equip the Crown Prosecution Service with new computer systems. [155710]

The Solicitor-General: I am pleased to report that the programme to equip the CPS with modern computer systems began national roll-out to the 42 areas in November of last year, with completion planned for November 2001. The "connect 42" project provides basic information technology tools and enables staff to be connected to each other and the police. The project was successful in gaining accreditation to the Government secure intranet, which will enable the CPS to join up electronically with its criminal justice system partners and the wider government community.

Implementation in the first 13 areas has taken place and more than 1,500 staff have been trained in new IT techniques. CPS London will start to receive "connect 42" this month and, as I said, the roll-out will be complete by the end of the year.

Mr. Beard: I thank my hon. and learned Friend for his reply. I am pleased that the CPS will soon be online in my area of south-east London. Can he give an assurance that the system will be compatible with systems for the police and the magistracy, given the importance of the three elements operating together? Can he say how such compatibility will be assured?

The Solicitor-General: My hon. Friend raises an important point. I know that he has taken a great interest in the matter and has visited the CPS on various occasions. He wrote a detailed report for me as a result of those visits. The project was designed not to go wrong. We have started giving Crown prosecutors basic IT skills and they have access to databases, file information and so on. After this year, the next step will be to make sure that there is a link-up with other criminal justice system agencies, such as the police and the courts. That is already possible in some areas, but not in all. We are working with the Home Office and the Lord Chancellor's Department to ensure that we have an interconnected criminal justice system.

Mr. John Bercow (Buckingham): For that purpose, when were the market-testing criteria last reviewed, and what is the intended length of the contract terms?

The Solicitor-General: As I said, the current contract for "connect 42" will be completed by the end of this year. Tenders are being considered for the next stage of the project. So far, we have received indications from some half a dozen of the leading commercial suppliers of IT equipment. There is great interest in the project. It will succeed.

Metropolitan Police (Prosecutions)

33. **Mr. Andrew Mackinlay** (Thurrock): How many prosecutions against Metropolitan police officers have

been abandoned in the past four years *(a)* prior to opening in court and *(b)* during court proceedings; and how many prospective prosecutions are outstanding. [155711]

The Solicitor-General: The Crown Prosecution Service holds no central records on proceedings against police officers, or other particular categories of defendants. The information is held on individual case files, and could be retrieved only at disproportionate cost. In general terms, the CPS did not proceed in approximately 12 per cent. of cases last year. Where cases proceeded to a hearing, convictions were recorded in 98.3 per cent. of hearings in magistrates courts and 88.3 per cent. in the Crown court, involving about 1 million defendants.

Mr. Mackinlay: Following the jailing last Tuesday of police informer Geoffrey Brennan, who had accused my constituent, Detective Inspector John Redgrave—suspended since February 1997—of corruption, and given that those accusations were subsequently withdrawn and no evidence was produced against my constituent by Chief Superintendent John Coles of the Complaints Investigation Bureau, is it not time that my hon. and learned Friend and my right hon. Friend the Home Secretary revisited the matter, which I raised in Westminster Hall on 31 October, in connection with the abysmal treatment of my constituent? The court case against Brennan reinforced what I said then about the scam by MI5 and the anti-terrorist squad's involvement in illicit or illegal gun running with Roger Crooks, who also supplied the helicopter to Sandline and is holed up in Mama Yoko hotel, Freetown? Will my hon. and learned Friend revisit the case, as there is a significant smell about the whole thing, yet my constituent, uncharged and uncomplained about in any practical sense, is still languishing on suspension at enormous public cost?

The Solicitor-General: I know that my hon. Friend raised the matter on another occasion. His constituent made complaints about the conduct of the police in the investigation, and I know that the police have conducted further investigations and that the papers are now with the CPS. They are being dealt with in a different CPS area, to remove any suggestion of a conflict of interest. As the investigation is continuing, I cannot say anything further about the specifics. I will keep my hon. Friend informed about the details.

Rev. Martin Smyth (Belfast, South): One recognises that Caesar's wife must be above reproach, but is it not fair to police officers that they be treated in the same way as others? An investigation going on for such a long time does nothing for morale in any police service, and the media constantly denigrate police officers, who do an outstanding job under tremendous pressures.

The Solicitor-General: I certainly agree that the police do an outstanding job. However, when allegations are made about serious wrongdoing by the police, such as attempts to pervert the course of justice, they must be investigated. That is done under the auspices of the Police Complaints Authority.

Of course, the Crown Prosecution Service has a role in considering these matters. As I intimated to my hon. Friend the Member for Thurrock (Mr. Mackinlay), the mechanics are such that matters are taken outside an area or dealt with by more senior prosecutors, so that there can be no allegations that they have been got at in any way.

Business of the House

12.30 pm

Mrs. Angela Browning (Tiverton and Honiton): Will the Leader of the House please give the business for the coming week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 9 APRIL—Second Reading of the Finance Bill.

TUESDAY 10 APRIL—Remaining stages of the *International Development Bill.*

Motion on the Easter recess Adjournment debate.

The House may also be asked to consider any Lords messages which may be received.

The provisional business for the week after the Easter recess is as follows:

MONDAY 23 APRIL—Progress on consideration in Committee of the Finance Bill.

TUESDAY 24 APRIL—Conclusion of consideration in Committee of the Finance Bill.

Motion on the Road Vehicles (Display of Registration Marks) Regulations 2001.

WEDNESDAY 25 APRIL—Opposition Day [8th Allotted Day]. There will be a debate on a motion in the name of the Liberal Democrats. Subject to be announced.

THURSDAY 26 APRIL—Remaining stages of the Special Educational Needs and Disability Bill *[Lords].*

FRIDAY 27 APRIL—Private Members' Bills.

The provisional business for the following week will include:

MONDAY 30 APRIL—Remaining stages of the Social Security Fraud Bill *[Lords].*

The House will wish to know that on Wednesday 25 April, there will be a debate relating to community immigration policy in European Standing Committee B.

The House will also wish to know that on Wednesday 25 April, there will be a debate relating to the European Aviation Safety Agency in European Standing Committee A.

The House will also wish to know that on Wednesday 2 May, there will be a debate relating to a common asylum procedure and uniform status for persons granted asylum in European Standing Committee B.

Details of the relevant documents will be given in the *Official Report.*

[Relevant documents:

Wednesday 25 April 2001:

European Standing Committee A—Relevant European Union document: 14329/00, European Aviation Safety Agency. Relevant European Scrutiny Committee Reports: HC 28-xi and HC 28-v (2000-01).

European Standing Committee B—Relevant European Union document:11529/00, Community immigration policy. Relevant European Scrutiny Reports: HC 28-iii (2000-01).]

[Relevant documents:

Wednesday 2 May 2001:

European Standing Committee B—Relevant European Union document: 13119/00, Towards a common asylum procedure and a uniform status for persons granted asylum. Relevant European Scrutiny Committee Report: HC 28-viii (2000-01).]

I should also like to inform the House that the business in Westminster Hall for the first two weeks after the Easter recess will be as follows:

THURSDAY 26 APRIL—Debate on tackling the illegal trade in African "conflict diamonds".

THURSDAY 3 MAY—Debate on the report from the Home Affairs Committee on border controls.

I anticipate announcing further debates after the Easter recess.

Mrs. Browning: I thank the Leader of the House for that information.

Will the right hon. Lady ask the Secretary of State for Education and Employment to come to the House to make a statement about the school achievement awards? Hon. Members on both sides of the House will have been notified this week by the Minister for School Standards that something has gone seriously wrong in the Government's school achievement awards. The Department states:

"The error arose from a miscalculation of Key Stage 2 test average point scores".

As a result, schools that have already been notified that they have won a school achievement award have not actually won it, and must now be written to, to be told that a mistake has been made. Schools that were omitted from the original list are now also to be written to.

We understand that, in order to ensure that there are no tears, the schools will be given the money anyway, whether or not they achieved an award. It is a bit like the Caucus race in "Alice in Wonderland", as everyone gets a prize, except that the schools that genuinely did not achieve an award at all will receive no money, while others that did not achieve an award, but in different circumstances, will get the money. The Secretary of State should make a statement to the House, as it seems that one or two Ministers in the Department for Education and Employment should do a little bit of detention for getting it all so wrong.

I want also to make a helpful suggestion to the right hon. Lady, who will know that, in last week's business questions, she said in response to a question about the deferment of county council elections:

"Certainly, it has been the Government's view for some time that to suspend the county council elections would give a strong and negative signal."—[*Official Report,* 29 March 2001; Vol. 365, c. 1109.]

That remark was made just four days before the Prime Minister changed his mind. Of course, we all saw her holding to that line on television at the weekend and, indeed, on Monday morning. It occurred to me that, when most business meetings reconvene, the agenda usually contains an item called "matters arising". It also occurred to me that I might support such a suggestion from the Modernisation Committee. If, at the end of the business statement, we were able to deal with clear, although not deliberate, inaccuracies arising from the previous week's

questions, it might help us to conduct our business in a more business-like manner. I hope that the right hon. Lady will consider that positive suggestion.

Now that we know that Parliament will not be dissolved for a while, the Government should find Government time for a debate on foot and mouth. I know that the Minister of Agriculture has answered questions today, but it was disappointing that he did not make a statement this week. I hope that the right hon. Lady will ensure that, as soon we return from the Easter recess, the Government allow a day's debate on foot and mouth. The Opposition have done that on two occasions.

Will the right hon. Lady explain the procedure on submitting written questions to the Table Office in the possible run-up to a general election? I gave the hon. Member for Clwyd, South (Mr. Jones) notice that I would use him as an example, but I do not believe that he is the only one. Already, £4,000 of taxpayers' money has been spent on no fewer than 31 questions about other people's constituencies. There are rules about that matter, and I hope that the right hon. Lady will be sufficiently anxious to find time for the House to consider the way in which some hon. Members are suddenly, for some unexpected reason, interesting themselves in other people's business.

Mrs. Beckett: The hon. Lady asked first about the school achievement awards. I am sure that she is disappointed that the money is staying with the schools, thus depriving the Opposition of a chance to criticise. She asked about the error and whether Ministers would apologise. I have not asked, but I doubt whether Ministers personally made those calculations. However, it appears that a little more progress on the numeracy hour is needed somewhere in the Department for Education and Employment.

I finally worked out the hon. Lady's question about deferring the local elections. I know that respected national newspapers have a corrections column, but I do not plan a similar feature for this Session. As she knows, I have repeatedly reminded Opposition Members, often to their displeasure, of the strong representations that we have received from the tourism industry, and stressed that they had to be taken into account along with representations from the agriculture sector. In that sense, we said nothing different from what was said previously.

The hon. Lady requested a debate on foot and mouth and expressed regret that there was no statement this week. We have had Agriculture questions today, and my right hon. Friend the Minister of Agriculture arranged a presentation to keep hon. Members informed. They are therefore up to date.

The hon. Lady asked about the submission of written questions. I am delighted that she asked me that because it gives me an opportunity to use some information that I have been carrying around for weeks. I am sure that she is keen for her constituents to know that, in her constituency, more than 21,000 pensioners received the winter fuel allowance, more than 8,000 pensioners got the free television licence and more than 2,500 families receive the working families tax credit. I am sure that she is eager for them to know the extent to which they benefit from a Labour Government. I sympathise with Opposition Members about the problems that that causes for them. Day after day, they claim that nothing has changed for the better and that policies are a complete failure, whereas unfortunate figures reveal the opposite.

Mr. Martyn Jones (Clwyd, South): Will my right hon. Friend arrange for statements to be made to the House from every appropriate Department as soon as possible—preferably before the election—setting out in detail what the Labour Government have done for every official Opposition Member and for every Member representing other minority parties on the Opposition Benches? I feel from the comments of the hon. Member for Tiverton and Honiton (Mrs. Browning) that they do not want us to know.

Mrs. Beckett: My hon. Friend is entirely right. It is unfortunate for Opposition Members that the facts contradict so many of their arguments. It is especially unfortunate because, as my hon. Friend will be aware, the policies being proposed by the Opposition mean that if they were elected to government, many of the gains would speedily be removed from their constituents. Their position is understandable. I sympathise with my hon. Friend's request. I am not sure whether I can readily arrange for all the information to be made available, but I suppose that it is possible that it may get into the public domain somehow or other.

Mr. Paul Tyler (North Cornwall): May I draw the attention of the Leader of the House to the fact that, at the end of Agriculture, Fisheries and Food questions a few minutes ago, many Members on both sides of the House had not had their questions answered? May I ask the right hon. Lady to consider carefully what can be done next week to bring more information before the House? On a previous occasion, the Minister of Agriculture took questions after the normal time, which was extremely useful to the House. It was a great deal more useful than debates, because we were able to extract much information from him.

May I suggest to the Leader of the House that, as we have been reminded on a number of occasions now that it is the Prime Minister who has taken charge of the programme of eradicating foot and mouth, the right hon. Gentleman should make a statement and answer questions next week before the Easter recess? As the Minister of Agriculture said a few minutes ago, the next seven days are critical. It is clearly unsatisfactory for us to adjourn for the Easter recess, for quite a substantial time, at the moment when the Minister says that the situation is critical.

We have heard nothing for several days from a number of interdepartmental groups, including the rural taskforce, which apparently is not to meet again, and the Cabinet Committee on rural affairs. Confused messages are being given to the country from different Departments and an evident lack of resources is being made available to deal with the problem. For example, we are apparently recruiting vets from overseas while retired vets over 65 years of age are being turned away, even though they have volunteered their services. Is the Prime Minister prepared to face the questions that we wish to put to him on behalf of our constituents?

Mrs. Beckett: It is my understanding that my right hon. Friend the Minister of Agriculture gave a presentation

[Mrs. Beckett]

yesterday and it is now 12.42 pm, so the argument that a further statement and update is needed today is not especially well founded, particularly as we have had Agriculture questions. I understand that many Members wished to ask questions and not everyone was able to get in. I sympathise with those who were not. However, that is understandable in the circumstances that now obtain. I do not think that my right hon. Friend can be accused in any way of neglecting his duty to the House or failing to make available to the House as much information as he possibly can.

The notion that my right hon. Friend the Prime Minister should make all the statements on foot and mouth is not well founded. My right hon. Friend is in charge of the entire Government, and remains so. *[Interruption.]* Indeed, Opposition Members try to blame him for everything; that is perfectly true. The Government are doing as much as anyone could reasonably expect to keep the House informed. The hon. Gentleman will recall that I announced last week when the House would adjourn for the recess, without any comment.

Fiona Mactaggart (Slough): My right hon. Friend will be aware from the answer that she gave me earlier this week, which unfortunately I was unable to follow up because of traffic on the M4, that, on Mondays, Tuesdays and Wednesdays—*[Interruption.]*

Mr. Speaker: Order. Let the hon. Lady put her question.

Fiona Mactaggart: Thank you, Mr. Speaker.

On Mondays, Tuesdays and Wednesdays, the Adjournment debate starts about 49 minutes later than it did during the first Session of this Parliament. Does that not reflect on the failure of the process of modernisation? Is it not time for us to stop bringing the House into disrepute by spending more time discussing the processes of how we consider legislation than we spend discussing the content of legislation? Will my right hon. Friend consider the matter in terms of when she timetables programming motions in the Session after the recess?

Mrs. Beckett: My hon. Friend was kind enough to send me a note of apology for her absence. That was entirely unnecessary: I knew that some problem must have arisen, because she is most assiduous in her attendance in the Chamber. I recall the figures that her question elicited, and it is certainly the case that a fairly sustained attempt has been made to detain the House later in the evenings than is necessary, by discussion not of the substance of Government business but of the processes. I accept that there is much room for criticism of those proceedings. However, my hon. Friend will find that a short but succinct and relevant new report by the Modernisation Committee has recently been published.

Sir Brian Mawhinney (North-West Cambridgeshire): Will the right hon. Lady find time to allow the House to debate and come to decisions on parliamentary pay, pensions and allowances in the first week after the Easter recess? She will know that a tradition has grown up that those matters are reviewed in substance in the lifetime of each Parliament. That has not happened in this Parliament, and many of us think that it should have.

Mrs. Beckett: May I say to the hon. Gentleman—[HON. MEMBERS: "Right hon. Gentleman."] I beg his pardon. May I say to the right hon. Gentleman that I am not sure whether that practice has been around long enough to be called a tradition? I am aware that there is often a recognition that the conduct of business suggests that a review should be carried out during the Parliament. Such a review has recently been carried out, but it was quite recent and I cannot undertake to stage such a debate in the first week back. Obviously, it remains a matter for discussion.

Mr. Tony Benn (Chesterfield): Is there a possibility of a debate on foreign affairs, now that we have a little more time? I ask this for two reasons. The first is the developing situation in the Balkans, where British forces are engaged and where there are clearly dangers that could lead to a wider conflict. The second is the developing crisis between the United States and China, which President Bush might use to justify the nuclear missile defence system, in which we would be involved through the use of Fylingdales and Menwith Hill. It would be sensible if the House could have a statement by the Foreign Secretary and an opportunity to contribute our own views.

Mrs. Beckett: I understand the important points that my right hon. Friend makes, but I cannot undertake to find time in the very near future for a foreign affairs debate. I recognise the genuine concerns that he raises, but a general foreign affairs debate that ranges across the world is more difficult to find time for on the Floor of the House. However, more specific debates on foreign affairs issues are more readily available in Westminster Hall.

Mr. Patrick Nicholls (Teignbridge): The right hon. Lady might have noticed, in answers to questions put down by the hon. Member for Don Valley (Caroline Flint) and me, that the previous Conservative Government put £4.8 billion into mining regions, in a mixture of money including redundancy payments and economic regeneration. The right hon. Lady's own Government have poured just short of half a billion pounds into economic regeneration in coal-mining areas. Will she consider an urgent debate into the circumstances of the west country, which would give the House an opportunity to consider matters such as the plea to the Prime Minister by the people of a region pushed to the brink by foot and mouth, issued recently by a local newspaper? The debate would make the point that if a Conservative Government were capable of pouring in billions of pounds for economic regeneration, even though there were no votes in it, it is absolutely right that this Government should consider economic aid to those affected regions that is vastly greater than anything that they have previously contemplated.

Mrs. Beckett: Of course I understand the case that the hon. Gentleman makes on behalf of his constituents, and his concern for the difficulties that they face. He will know that the Government have made it plain that they take those considerations extremely seriously. Obviously, we shall have to look, over time, at the impact of the crisis

that is currently under way. That impact will be varied, and the Government are doing everything that they can to encourage people to recognise that the countryside is not closed, and to ensure that the impact on industries such as tourism is minimised. He and other right hon. and hon. Members will be very conscious that, no matter how generous the sort of loan schemes that people urge on the Government are, it cannot make up for the severe fall-off in business which it is most important to revive.

Mr. Peter L. Pike (Burnley): My right hon. Friend referred a few moments ago to the most recent report of the Select Committee on the Modernisation of the House of Commons, which was published at the end of last week. It is a brief but important report. Will she try to ensure that the House has the opportunity to discuss that report before the end of this Parliament so that, in the next Parliament, we can take advantage of its recommendations to ensure that the House works in a better way and scrutinises legislation as the report proposes?

Mrs. Beckett: My hon. Friend makes an important point, and I pay tribute to him for the serious, thorough and non-partisan way in which he, like most members of the Modernisation Committee, have always conducted themselves in these discussions. He asks me to arrange a discussion on the report. I cannot necessarily undertake to do that at the present time, but I appreciate the steps that he has taken to draw it to the attention of the House because I think that it will inform our further discussions and debates.

Mr. Michael Jack (Fylde): The Deputy Prime Minister said that he would knock heads together to get an improvement in the running of our railway system. Judging from the announcement of Virgin Trains that it is to raise fares on the west coast main line service by 10 per cent. following last month's cut in fares by 50 per cent., we seem to be getting into a surreal situation. Will the right hon. Lady ask the Deputy Prime Minister to come to the House so that we might probe him on what has gone wrong between Railtrack and Virgin Trains, as it is the innocent passengers using the west coast main line service who have to bear this outrageous increase in rail fares?

Mrs. Beckett: I cannot undertake to ask my right hon. Friend to come specially to the House to deal with this issue, although I completely understand the right hon. Gentleman's concern. It is hard to see how that action will help to attract passengers back to the railway. However, he may have overlooked the fact that questions to the Department of the Environment, Transport and the Regions will take place on Tuesday 24 April.

Mrs. Linda Gilroy (Plymouth, Sutton): My right hon. Friend has already referred to the attention that the Government are giving the tourism industry in these difficult times. Nowhere is that more welcome than in the south-west. Will she consider having an early debate on tourism, so that we can draw attention to the can-do list of things which, in my constituency, where one in 10 people is employed in that industry, is far longer than the cannot-do list? Will she also urge right hon. and hon. Members to sign early-day motion 527?

[*That this House calls on all honourable and Right honourable Members to visit Cornwall and Devon this Easter and to encourage their constituents to do the same, to demonstrate that the tourist industry is open for business.*]

It is tabled in the names of my hon. Friends the Members for Falmouth and Camborne (Ms Atherton) and for Exeter (Mr. Bradshaw) and myself, and urges people to visit the south-west during our rather generous Easter recess.

Mrs. Beckett: I am grateful to my hon. Friend. She is entirely right about the need to encourage people to recognise how much of an opportunity to sample the delights of tourism in these islands is presently available. She is also right to ask for attention to be drawn to the opportunities that exist. I fear that I cannot undertake to find time for a special debate on tourism on the Floor of the House in the near future. However, she may well find that a debate in Westminster Hall is more easily obtained. Furthermore, she may recall that the BBC regional unit has made it plain that it makes extensive use of those debates. That could bring the matter to the attention of rather more people than a debate on the Floor of the House might do, as the chances of a parliamentary lobby covering such a debate are not terribly high.

Mr. Edward Garnier (Harborough): Can the Leader of the House arrange for the Secretary of State for Trade and Industry to make a statement in the House, or at least to take part in a debate on answers to written questions? Last week, I asked the right hon. Gentleman two straightforward questions: what sum of money had been set aside by his Department to cover his legal expenses for bringing proceedings against Associated Newspapers and Tom Bower for the publication of extracts of his book; and when did he issue his High Court proceedings for libel? The Secretary of State responded in the *Official Report*, at column 106W, by referring me to the reply that he gave the hon. Member for Lewes (Mr. Baker) on 2 April at column 7W. I looked at that column, and the answer had absolutely nothing to do with the questions that I had asked. I stress to the right hon. Lady that I have no professional interest in this case but, as a parliamentarian, I have an interest in the proper accountability of Ministers for the spending of public money.

Mrs. Beckett: I wondered whether the hon. and learned Gentleman was looking for trade, and I am relieved by his assurance that he was not—although I am sure that he would perform excellently in that capacity. He is right to say that all hon. Members take an interest in accountability and the use of public money. However, as no public money has yet been expended, I do not think that his point is very strong.

Mr. Alan Simpson (Nottingham, South): My right hon. Friend will know that about 20 million people will be hanging on tonight's news about who shot Phil Mitchell, but probably not many fewer people would be willing to do the same job on the Child Support Agency. I have never supported men who do not offer proper support to the children whom they produce, but it is important that the House have a debate on the extent to which we continue to fail miserably the women who get no support from their former partners. Moreover, good fathers are

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pursued and persecuted because of cock-ups in the agency. Could the House have a statement or debate on the subject of why there is such an immovable backlog of cases to be examined by the independent case examiner, and about why the CSA appears to be unable to deal with the scale of damage inflicted by cock-ups in its internal operations?

Mrs. Beckett: I think that all hon. Members have constituents who have had difficulties in their dealings with the CSA. My hon. Friend is entirely right to identify the great and indiscriminate distress and difficulty that is caused, often to both partners. I admit that I think that there has been some improvement in the agency's operation, and I am sure that its staff face a difficult task in dealing with such immensely complex issues.

I fear that I cannot undertake to find time for a special debate on the Floor of the House in the near future, but my hon. Friend might look to take advantage of the increased opportunities offered by Westminster Hall.

Mr. David Heath (Somerton and Frome): We heard in Agriculture questions that the next seven days will be crucial when it comes to knowing whether there are any grounds for the guarded optimism that has been expressed about foot and mouth disease. As my hon. Friend the Member for North Cornwall (Mr. Tyler) noted, it is extraordinary that the House should rise next Tuesday without hearing a statement from the Prime Minister about the current situation. Do the Government intend to table Government amendments to the Finance Bill to put into action some of the pledges that have been made to support our rural industries? Finally, will there be an opportunity to have another look at the rural White Paper? Some of its measures would have been extremely helpful to rural industries, especially in the south-west, had they been implemented in this Session.

Mrs. Beckett: There is no case for my right hon. Friend the Prime Minister to come to the House, although it is certainly true that the House must continue to be informed, and I am confident that that will happen.

The hon. Gentleman will know that I have announced the date of the Second Reading of the Finance Bill, and when progress will be made in Committee on the Floor of the House. It may be that the hon. Gentleman will find an opportunity to raise these matters then. I do not think that I should be required to suggest time for special debates when debating opportunities already exist.

Mr. David Winnick (Walsall, North): The Opposition have already raised the matter of Virgin Trains raising fares by considerably more than inflation, and Railtrack is getting £1.5 billion in extra public money. In view of those facts, will my right hon. Friend say whether there is any possibility of an early debate on the total failure of the Tory privatisation of the rail industry? Is my right hon. Friend also aware that a possible remedy could be applied in the next Parliament—a remedy that is dear to the hearts of many Labour Members? She will know what I mean.

Mrs. Beckett: My hon. Friend has long and assiduously argued his corner on this matter, as on other issues. He is right to identify the total failure of the policy pursued by the previous Conservative Government, the consequences of which are now known and resented throughout the country. However, for the very reason that the failure is widely known and understood, as well as widely resented, I fear that I cannot undertake to find time for a special debate on issues that are already so well aired.

Sir Patrick Cormack (South Staffordshire): As you, Mr. Speaker, can readily confirm, a vast number of right hon. and hon. Members did not get called during this morning's very brief session with the Minister of Agriculture. Will the right hon. Lady give an undertaking that we will have a statement next week? Will she also convey the news to the Prime Minister that there is a strong feeling throughout the House that, as he has taken personal command of the operation, we expect him to be answerable to the House? The hon. Member for Bolsover (Mr. Skinner) said sotto voce a few moments ago that the Prime Minister was out driving a JCB. That may or may not be the case, but we expect him to appear at the Dispatch Box to answer our questions and to tell us how he is co-ordinating the campaign.

Mrs. Beckett: I am afraid that for once I totally disagree with the hon. Gentleman. There is no strong demand across the House for my right hon. Friend the Prime Minister to appear at the Dispatch Box; there is merely an attempt at mischief-making by Conservative Members on an issue that is genuinely of great importance and concern.

On the hon. Gentleman's request for a statement from my right hon. Friend the Minister of Agriculture, I am as reluctant as any Leader of the House to give undertakings about statements, but I can assure him that I take his point seriously and I will certainly draw it to the attention of my right hon. Friend.

Mr. Nigel Griffiths (Edinburgh, South): May we have an early debate on the impact on tourism of intransigent landlords who refuse to reopen their land to walkers? The McLeod estate on Skye refuses to undertake a risk assessment and is depriving walkers such as myself of access to the Cuillin ridge walk over the Easter break and threatening the livelihood of mountain guides such as Darren McAulay and others who are dependent on tourism and walking.

Mrs. Beckett: I understand the points that my hon. Friend makes very well and forcefully. I also note the strong plug that he gives for the work and activities of people who are doing an excellent job. However, I fear that I cannot undertake to find time for a special debate on the Floor of the House although I recognise the seriousness of the matter. He, too, may like to seek an opportunity to raise it in Westminster Hall.

Mr. Peter Lilley (Hitchin and Harpenden): On the principle that the House should be most assiduous in debating matters which Ministers are most reluctant to debate, can time be set aside for a debate on the DTI report into Hollis Industries and the Secretary of State for Trade and Industry's responsibility for it? The right hon. Gentleman hides behind his claim that he did not receive the report, but refuses to say when he was informed of its contents; he hides behind the threat of legal action but

fails to issue any writ; and hides behind advice from officials, whereas it is he who is responsible for the advice that he takes. The last time I raised this issue, the Leader of the House uncharacteristically lost her cool. Will she now, in more characteristic terms, accept that there is a case for an urgent debate on these matters?

Mrs. Beckett: It is kind of the right hon. Gentleman to say that it was uncharacteristic, but I did not lose my cool. I was extremely shocked at what I thought was quite appalling and disgraceful behaviour on his part, as a former Secretary of State, when he attempted to accuse my right hon. Friend—he has just repeated that accusation—of hiding behind advice from officials when he must be perfectly well aware that had my right hon. Friend overruled that advice, especially as a newly appointed Minister in the Department, Opposition Members would probably have a great deal more to complain about.

Ms Margaret Moran (Luton, South): When considering debates on the serious issue of foot and mouth, would my right hon. Friend also consider an early debate on the somewhat strange interpretation of the Government's current regulations by some councils? I refer specifically to South Bedfordshire district council, which is refusing to collect refuse from properties in my constituency, seemingly on the basis that they have the word "farm" in their addresses. In particular, I understand that a fish farm has not had its refuse collected for several weeks nor has Tipple Hill farm, which is not a farm, but a house which has several horses in its grounds. Does she agree that that is a dangerous and somewhat bizarre interpretation of the Government's regulations?

Mrs. Beckett: My hon. Friend makes an important and pertinent point, and makes it well. I sympathise with the concerns of her constituents; apart from anything else, they are no doubt concerned about the health hazard of uncollected waste. I fear that I cannot undertake to find time for a special debate on the Floor, but I suspect that my hon. Friend may find a sympathetic hearing for a debate in Westminster Hall.

Mr. Nicholas Winterton (Macclesfield): May I support the requests that have been made from both sides of the House for a further debate on foot and mouth in Government time before the Dissolution of Parliament? Members from both sides of the House could then share opinions on the advantages or disadvantages of vaccination and share information as to how this terrible plague was imported to this country. We could discuss how to develop a strategy to prevent the virus from entering the country in future. We could consider certain inadequacies at the Ministry of Agriculture, Fisheries and Food relating to the number of vets available when the plague first broke out. We could also discuss how to protect the pedigree and pure-bred herds and flocks that are so important to the future of agriculture in this country. With the extra time now available, it should be possible to find time for a debate on the Adjournment so that the House can share its views on what is such a serious disaster for the countryside.

Mrs. Beckett: The hon. Gentleman makes a serious point. I recognise to the full his concern for his constituents. I am not in a position at present to announce Government time for a debate, although I shall certainly bear it in mind. As a regular attender at business questions, the hon. Gentleman will be well aware that no matter how much extra time becomes available, there are always infinitely more demands to fill it than can possibly be accommodated. However, of course, I am very mindful of the need to keep the House informed; the Government look for a variety of opportunities and ways to do that.

Mr. Harry Barnes (North-East Derbyshire): My right hon. Friend will be aware that at business questions last week, I asked about correspondence that had been unanswered by Ministers because a general election was on the horizon. Although we have a little longer before that event, the problem remains. My right hon. Friend will not be aware that I submitted a question about correspondence affecting a Mr. Nofal, in my constituency. I asked for answers to letters of 13 November, 18 December, 13 February, 20 February and 21 February. The answer was ambiguous; it stated:

"I shall let my hon. Friend have a reply as soon as possible."

I did not know whether that meant a reply to the letters or to my parliamentary question about them. It turns out that it was a holding answer; I still await my reply.

Furthermore, I have been promised a meeting with a Minister from the Department of Health in connection with the matter. It is of tremendous importance that, before we get to a general election, the issue is resolved for my constituent; otherwise, I shall have to employ other methods to raise his case on the Floor.

Mrs. Beckett: I am very aware of how assiduously my hon. Friend works on behalf of his constituency. I understand his concern if questions have not yet been fully answered. He will be aware that questions to the Department of Health are scheduled for 10 April; that may give him an opportunity to raise the matter.

Although I sympathise with the concerns expressed by my hon. Friend, his question gives me an opportunity to pay tribute to the officials in my own Department, who seem to have succeeded in answering within a short time scale almost 100 per cent. of the letters sent to us. That is a truly remarkable achievement.

Mr. Stephen Day (Cheadle): I am sure that the right hon. Lady agrees that it is right that the House's consideration of the serious foot and mouth crisis has concentrated on rural areas and those most directly affected—the farmers and communities therein. However, I hope that she will agree that some foot and mouth related issues touch urban areas. She will be aware that, yesterday, my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) made that very point to the Prime Minister.

For farms in areas designated as urban, such as those in my Cheadle constituency in the Greater Manchester conurbation, and for businesses that supply rural areas, and are based in places such as Cheadle, it is not clear whether they will qualify under the various welcome steps that the Government have taken to help companies in difficulty. I hope, therefore, that the right hon. Lady will be able to accede to the many requests that have been made for a debate in Government time, so that those matters at least can be explored.

Mrs. Beckett: I take the hon. Gentleman's point. Indeed, I am aware from correspondence from my

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constituency that people in businesses that might not at first sight seem to be related to the foot and mouth crisis or to tourism have been affected by the change in the business environment. I am conscious that that is one of the matters that hon. Members wish to air. I cannot accede to his request at present, but I do take the issues very seriously.

Mr. Andrew Mackinlay (Thurrock): Last July, there were celebrations for the Australian centenary in this place. On 9 May, it is the 100th anniversary of the state opening of the first Australian federal Parliament. Will the Leader of the House discuss with the Speaker and other House authorities whether there is some way that we could mark that occasion in the House—without any boondoggles, without anyone going there—perhaps by using new technology whereby we could pass a resolution of congratulation? We could use the occasion as a precedent. All too often such matters are left to the early-day motions of Back Benchers, when they merit a greater demonstration by the whole House. Could that matter be examined, as that is an important parliamentary occasion both for the Australians and for us, as well as for other jurisdictions that have flown the nest after seeing the example of Australian independence?

Mrs. Beckett: My hon. Friend makes an interesting and important point. I must admit that I have not given great consideration to the opportunities that he suggests are available through the use of new technology. I am sure that all those who represent the House authorities have heard his suggestion and will consider it.

Rev. Martin Smyth (Belfast, South): The Leader of the House has announced a debate on the Finance Bill after the recess. Will it be possible to have some clarification about the suggestion that VAT will be added to the cost of hearing aids in the near future? That would increase their cost. It might be a stealth tax, which will certainly punish people who require such aids.

Mrs. Beckett: I am not sure how easy it will be for the hon. Gentleman to raise that matter during the debate on the Finance Bill. That is, of course, a matter for the Chair. I cannot undertake to give him the assurance that he seeks that it will be possible, but I will certainly draw his remarks to the attention of my right hon. Friend the Chancellor of the Exchequer.

Mr. Mike Gapes (Ilford, South): May we have an early opportunity to consider the remarks quoted in today's *Ilford Recorder* by the long-standing Conservative councillor in Redbridge, Asaf Mirza? He says that he is

"no longer able to apologise"

for his party's stance on ethnic minorities. He went on to say that the Conservative party

"is narrow minded, lacking in new ideas and stuck in the past",

and that

"It is rigid and lacking in communication and they refuse to listen because they do not want to improve the situation.

In contrast Labour is a modern, progressive and broad party that has demonstrated its ability to govern fairly and effectively for all."

Mrs. Beckett: My hon. Friend makes an important point. Certainly, it is interesting to hear what is being said in the *Ilford Recorder* by his constituent. I fear, however, that—[Hon. Members: "He did not ask a question."] My hon. Friend asked that we should debate these issues. I fear, however, that as much of what he says is self-evidently true, there is little to debate.

Mr. John Hayes (South Holland and The Deepings): I wonder whether the Leader of the House could make time for a debate on class sizes. She will know that in many parts of the country secondary school class sizes are at their highest level for 10 years. Indeed, in more than 40 local authorities the position is worsening sharply or is certainly not improving. The problem is not limited to secondary schools. Upper-age primary schools are also suffering from larger class sizes and a greater proportion of nursery-age children are in classes of more than 30 than there were in 1997. We need to get to the bottom of this matter. Despite the hyperbole before the general election, for the vast majority of children, class sizes are rising rapidly due to the Government's incompetence.

Mrs. Beckett: That is absolute nonsense. As I am sure the hon. Gentleman is well aware, secondary class sizes have been increasing gradually but steadily for about 10 years, but there is no doubt that the rate of the increase has slowed as a result of the investment that the Government are making. In fact, in many parts of the country—the vast majority—children in the early years of education are benefiting from much smaller classes as a result of the earlier investment made by the Government. However, there is a further reason why there is no necessity for me to make a special arrangement to discuss those matters: oral questions to the Department for Education and Employment will take place on 26 April.

Mr. Jonathan Shaw (Chatham and Aylesford): Is my right hon. Friend aware of yesterday's Law Lords ruling, which stated that, under the current legislation, it is legal for the privatised electricity companies to raid pension fund surpluses to fund redundancies? Does she appreciate—I am sure that she will—that some 200,000 pensioners feel ripped-off because the privatised companies are allowed to do that?

I am sure that she will be aware of the excellent Myners report and that my right hon. Friend the Chancellor agreed to implement all of its recommendations. One states that the Law Commission should review the ownership of surpluses. Will she use her good offices to ensure that the review takes place as quickly as possible, because hundreds of thousands of pensioners want pension funds to be paid to the pensioners, who have paid in all their lives? They do not want large companies to be able to take pensions holidays and raid the funds for redundancies.

Hon. Members: Hear, hear.

Mrs. Beckett: My hon. Friend makes an important point, which is clearly supported across the House. I understand that the implications of that case are as he describes, because I believe that the Treasury has expressed some support for the suggestion that the Law Commission should consider those issues. I would only caution my hon. Friend that sometimes those matters are much more complex than he might anticipate, and I am not clear how speedily that action could be taken. I fear

that I shall not undertake to hold a debate on the matter in the near future, but I will draw his remarks to the attention of my right hon. Friend the Chancellor.

Mr. Patrick McLoughlin (West Derbyshire): Will the Leader of the House consider holding a debate not only on foot and mouth, but its impact on the tourism industry? So far we have heard statements from the Minister for the Environment and from the Secretary of State for Culture, Media and Sport, but we have not had the chance to debate that impact. We are now seeing the reality of some of the measures that those Ministers announced, with a great fanfare, especially that on business rates, which will cost Derbyshire Dales district council more than £300,000 to implement. It was alleged that the Government would write off the cost completely, but a large proportion of it will be required from the district council.

We need to hold a debate not only on foot and mouth, but on the very much wider implications of the outbreak, and perhaps an Environment Minister, or even a Tourism Minister, could make the winding-up speech.

Mrs. Beckett: I am conscious of the interest across the House in the wider implications of the problems that are being experienced, not only in agriculture but in other sectors. The hon. Gentleman will recall that my right hon. Friend the Prime Minister, and other Ministers, have repeatedly said that, of course, any assistance or support that the Government can give will pale into insignificance beside what is really needed—a return of customers to rural businesses. That has to be the chief focus, but I shall bear in mind his request.

Mr. Peter Bradley (The Wrekin): My right hon. Friend may be aware that last week, after a two-year investigation, the Office of Fair Trading imposed a fine of more than £3 million on Napp Pharmaceuticals. The OFT found not only that the company had engaged in anti-competitive business practices by excluding smaller companies from the market, but that, in doing so, it had manipulated prices in the national health service, so that it was giving hospitals a 90 per cent. discount for a drug, but charging 10 times that amount out in the community, which accounts for 80 per cent. of the NHS drugs budget.

The OFT found that that practice, involving that single drug, cost the NHS £2 million a year. Will my right hon. Friend arrange to hold a debate as soon as possible so that we can properly assess the overall cost to the NHS of that practice, which is widespread in the pharmaceutical industry. I estimate that it costs at least £50 million—money which is intended to be used in front-line health care, and not creamed off in excess profits by rapacious drug companies.

Mrs. Beckett: My hon. Friend makes an important point, and I know that the report of the OFT will have been taken very seriously. I fear that I cannot undertake to find time for a special debate on this matter, but he may have an opportunity to raise the issue in Westminster Hall. I remind him, however, that it is oral questions to the Department of Health on 10 April and he may be able to raise the matter then.

Mr. Stephen O'Brien (Eddisbury): In the absence—according to the right hon. Lady—of the Prime Minister being willing to come to the House or of a debate in Government time, does she recognise that it is terribly important for all our constituents who are concerned about foot and mouth that we at least have the reassurance that the Minister of Agriculture will definitely be here to make a statement on Monday, before the Easter recess?

Will the right hon. Lady please let us know, or ensure that the Minister lets us know, what precise arrangements have been made for all Members to raise urgent and important issues about foot and mouth and the rural economy during the recess? The MPs' hotline, which has been repeatedly requested, has still not been set up. Surely, it should be well established with sufficient resources before we go into the recess; otherwise, we should be here to ensure that we can represent our constituents' interests.

Mrs. Beckett: As I said earlier, I take seriously the point that has been made. I am as reluctant as any Leader of the House to be absolutely categoric about the statements that might be made, but I have taken on board the hon. Gentleman's observations. I shall draw them to the attention of my right hon. Friend the Minister of Agriculture, and not least the point about the MPs' hotline. It was my understanding that arrangements had been made. [HON. MEMBERS: "It does not work."] If hon. Members are telling me that the arrangements are not sufficiently satisfactory, I will also draw that point to my right hon. Friend's attention.

Mr. David Chaytor (Bury, North): Following the question of my right hon. Friend the Member for Chesterfield (Mr. Benn), does my right hon. Friend the Leader of the House agree that the attempt by the United States to abrogate the anti-ballistic missile treaty will have profound consequences for the foreign policy and the defence policy of this country? Although I accept that she has ruled out the possibility of a wide-ranging debate on foreign affairs in the near future, will she give further consideration to the possibility of a more specific debate on national missile defence?

Mrs. Beckett: All I can say to my hon. Friend is what I said to my right hon. Friend the Member for Chesterfield (Mr. Benn): there is probably a better chance of securing a debate on such a more restricted subject in Westminster Hall than on the Floor of the House. However, I draw to my hon. Friend's attention the fact that it is Ministry of Defence questions on the Monday after the recess.

Several hon. Members *rose*—

Mr. Speaker: Order. I appeal to hon. Members to keep their questions as brief as possible.

Mr. Ian Bruce (South Dorset): Thank you, Mr. Speaker. I apologise for my voice. You told me not to shout the other day, and I cannot do that today.

Will the Leader of the House consider a debate on the report of the Senior Salaries Review Body? She will know that, in a written answer, the Prime Minister promised:

"This will be a matter for decision by Parliament."—[*Official Report*, 16 March 2001; Vol. 365, c. 753W.]

She will know that recommendation 8 of the report asks that the matter be dealt with before a general election. Will she therefore return to the spin doctors in No. 10 and

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tell them that we need the debate before the general election, so that the Prime Minister does not break his promise and so that Parliament can organise its information technology systems and everything else that is recommended in the report well before the general election?

Mrs. Beckett: My right hon. Friend the Prime Minister said that this was matter for the House to decide on at some point. That remains the case, but I do not believe that he gave any undertakings as to precisely when that opportunity might be made available. I recognise the anxiety that the hon. Gentleman expresses and I know that he—along with other members of the Information Committee—has long campaigned for improvements in our information technology arrangements. I am mindful of the review board's recommendation but I am mindful, too, of the fact that, as ever, there are more requests for subjects to be debated than time to debate them.

Mr. Dale Campbell-Savours (Workington): Is there any chance—or am I wasting my time—of having before the general election that required debate on the most recent report of the Select Committee on Standards and Privileges? If we do not have such a debate, those who are in the next Parliament might well regret it.

Will my right hon. Friend also pencil in in her very fine mind the real necessity for a debate on the effects of foot and mouth on tourism? That is a real problem that will not go away. When Members return after the Easter recess, they will be talking about the problems in their constituencies.

Mrs. Beckett: As ever, my hon. Friend makes an important and powerful point, and I have taken on board his request for a debate on privileges. Although I cannot give him that undertaking, I am aware of the tremendous work that he and others have done on that Committee and of their desire for the issues to be aired in the House.

Mr. Nigel Evans (Ribble Valley): Does the Leader of the House accept that wanting the Prime Minister or the Minister of Agriculture to come to the Dispatch Box to answer questions about the handling of foot and mouth is not mischief-making—rather, it is us doing our job and the Government doing theirs? Foot and mouth has rightly been the lead item on television and radio and in newspapers for the past six weeks. I am in daily contact with farmers and there was an outbreak of foot and mouth in my constituency yesterday. Last Friday, I met 30 business people who are affected by the tourism blight associated with the disease.

In a role reversal, may I draw Westminster Hall to the right hon. Lady's attention? It is not being used on Monday. How about getting the Minister of Agriculture to go there to answer questions in a full debate on the handling of foot and mouth?

Mrs. Beckett: First, I would never suggest that it would be mischief-making to ask my right hon. Friend the Minister of Agriculture to answer questions on that subject. Indeed, he just did that. I have taken on board the requests for additional information to be made available and the pressure that there is, naturally, for such issues to be discussed. However, for Conservative Members to pretend that they think that the Prime Minister should come to the Chamber all the time to make such statements is mischief-making.

Mr. John Wilkinson (Ruislip-Northwood): Can the Leader of the House induce the Deputy Prime Minister to face up to his responsibilities and explain why Mr. Derek Smith, managing director of London Transport Underground, whom he appointed only two years ago, is submitting his resignation? Is he resigning because he has no confidence in Her Majesty's Government's policy on the tube; because of the antics of the Mayor, who undermined the leadership of the tube by siding with the strikers; or because Mr. Kiley wants a judicial review? What is it? The travelling public of London deserve an explanation, and so do we.

Mrs. Beckett: I cannot find time for a special debate. I know that my right hon. Friend the Deputy Prime Minister is extremely conscious of his responsibilities and exercises them with a great thoroughness and determination. I remind the hon. Gentleman that there are questions to the Department of the Environment, Transport and the Regions on Tuesday when we return from the Easter recess.

Mr. Crispin Blunt (Reigate): Last June, the Secretary of State for Health approved a plan of the Surrey and Sussex health care NHS trust to concentrate acute services at the East Surrey hospital in my constituency, largely by moving services from the run-down Crawley hospital. On Tuesday last week, at a meeting with the hon. Member for Crawley (Laura Moffatt), which was attended by local press, the Secretary of State suspended the transfer of those services. Decisions now have to be made about clinical safety and the cost to the trust. It is £10 million in debt and, on the Government's figures, the suspension will cost an additional £600,000 a year. Can we have a debate on the politicisation of the health service because that disgraceful decision was made in the political interest of the Labour party? The people who are served by my health trust should be recompensed for the consequences of that outrageous decision.

Mrs. Beckett: I simply say that I do not see the scope or need for a special debate. I remind the hon. Gentleman that oral questions to the Department of Health are on Tuesday 10 April.

Mr. Geoffrey Clifton-Brown (Cotswold): I am now getting a large number of inquiries from farmers about foot and mouth and from a huge range of businesses that are also affected by it. Let me give the right hon. Lady an example of the problem: the total aid offered by the statutory instrument on rate relief amounts to £22 million, but the cancellation of the Cheltenham festival cost Gloucestershire £40 million. May I join my 15 colleagues on both sides of the House in appealing to the right hon. Lady to find time for a debate on foot and mouth?

The Minister of Agriculture attended a briefing session yesterday. He stayed for 60 seconds and officials were not able to answer many of the questions put by colleagues. In all sincerity, three quarters of an hour for Agriculture questions this morning is not adequate. A large number of hon. Members on both sides of the House were not

able to ask their questions. My constituents expect their representative to question the Minister. Will the right hon. Lady arrange for time to be made available for the Minister to come to the House to make a statement or, even better, to attend a debate before we break for the Easter recess?

Mrs. Beckett: I have, I think, given every indication that I am very conscious of Members' wish to have further information before the House rises for the Easter recess. As to the other, general issue that the hon. Gentleman raises, I am of course extremely conscious, as we all are, of the scale of the difficulties being experienced, including those outside agriculture. However, I repeat to him what I have said to other hon. Members, which is that the key is to try do everything that we can to revive business in those areas, because it will never be possible for any Government to make up all the losses.

Mr. Christopher Chope (Christchurch): We always have a debate on Welsh issues around St. David's day; why cannot we have a debate on English issues on St. George's day, 23 April? We would be able to discuss the crisis in the English countryside and today's MORI poll, which shows that 71 per cent. of people are in favour of having a referendum on whether we should stay in the EU and 52 per cent. say that they would vote to opt out of the EU, given the chance.

Mrs. Beckett: That is what they said in 1975, but it did not turn out that way. As for the question whether we need time for a special debate to allow Members to raise English issues, about 80 per cent. of Members in the House represent English constituencies and, perfectly naturally, are raising English issues day in and day out.

Mr. Michael Fabricant (Lichfield): The Leader of the House may not be aware that there were a further five cases of foot and mouth disease in my constituency yesterday. Will she join the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), in dissociating herself from the words of a Parliamentary Private Secretary last night? The hon. Gentleman in question said,

"I would be asking why obsessive media attention has been concentrated in recent weeks on the fact that hundreds of thousands of our cows and sheep have caught a very nasty cold, with foot and mouth ulcers."—[*Official Report*, 4 April 2001; Vol. 366, c. 432.]

Mrs. Beckett: I was not aware of the quotation to which the hon. Gentleman refers. Members throughout the House are conscious of the concern about the disease and the fact that it is affecting not only the rural economy and agriculture but other industries.

Mr. Graham Brady (Altrincham and Sale, West): Given that the Secretary of State for Education and Employment held a leaving party at his Department last week, at which he reportedly told officials that the time had come for him to move on, could he be brought to the House to share with Members the secret of whether a reshuffle has already taken place without our being informed, or whether he is anticipating leaving office for some other reason?

Mrs. Beckett: We all read these things in the papers from time to time, and I advise the hon. Gentleman not to take them too seriously. If he wants to ask my right hon. Friend about that, he can do so at oral questions on 26 April.

Miss Anne McIntosh (Vale of York): Will the right hon. Lady assist me in investigating the alarming length of time that Ministers are taking to respond to constituency cases? Constituents write to us and use us as a conduit to get a reply from Ministers. I have trawled through my mail and found that I have not received replies from the Secretaries of State for Health and for Social Security since December and January. That is not only a gross discourtesy to the House, but obviously sends the wrong message to constituents about whether Parliament is open for business.

Mrs. Beckett: I understand the hon. Lady's concern and I will pass on her remarks to my right hon. Friends. I can only say that having for a relatively brief halcyon period shadowed the work of the Department of Health, I am extremely mindful of the vast amount of correspondence that any Health Secretary and, indeed, his shadow receive, and I am conscious that the Department has greater difficulties in that respect than most, not least because the issues raised are of such delicacy that the correspondence is horrendously hard to deal with.

Mr. John Bercow (Buckingham): May we please have a debate on the 99.6 per cent. of British companies which employ fewer than 100 people, account for approximately 57 per cent. of the private sector work force and generate two fifths of national output? Given that the last such debate was held in Opposition time in March last year and that the Government's record has been consistently denounced by the Confederation of British Industry, the Institute of Directors, the Federation of Small Businesses, the Forum of Private Business, the British Chambers of Commerce and the Engineering Employers Federation, to name but a few, is it not essential that we have an urgent debate on the sea of regulation which is now deeper and more hazardous than any with which British companies have ever had to contend?

Mrs. Beckett: First, I have to tell the hon. Gentleman that he weakened his argument by referring to unprecedented denunciation being voiced by all those bodies, most of which are highly supportive of much of the Government's programme—although, of course, they express concern about regulation, as they did under the Conservative Government.

I rather think that as we are to have a debate on regulation later today, there is no need to find time for a further debate. Although I understand the hon. Gentleman's point about the only debate on the subject having taken place in Opposition time, I recall that, in the last Parliament, there was a period of at least two years—possibly substantially more; it might even have been three or four years—in which there was no debate on health issues in Government time.

Points of Order

1.36 pm

Mr. Dale Campbell-Savours (Workington): On a point of order, Mr. Speaker. I wonder whether your calling the hon. Member for Buckingham (Mr. Bercow) last in business questions reflects your decision to adopt the principle applied by the last three Speakers of the House of Commons, which is that when an Opposition Member who is a Front-Bench spokesman rises on the Back Benches, he is not given precedence but is called last in debate and last in questions? I have always subscribed to that principle and thought it right, because it required hon. Members to make up their minds about what they wanted to do in Parliament—whether they were on the Front Bench or the Back Bench.

Mr. Speaker: The Speaker should never have to reveal what is in his mind. However, let me tell the hon. Member for Buckingham (Mr. Bercow) that I worry about the Benches themselves. I am very fond of carpentry and feel that the way he jumps up and down might do a bit of damage to the Benches. I do not worry about damage to his joints—just about the Benches.

Mr. Peter Lilley (Hitchin and Harpenden): On a point of order, Mr. Speaker. It has been drawn to my attention that, at Scotland Office questions on Tuesday, the Secretary of State for Scotland made a gratuitous, false and insulting attack on me. She associated my name with her own and those of others who had been employed by Robert Maxwell, whereas in fact I had no dealings with him while he was alive. Then she said that I

"could have done much to help the Maxwell pensioners",

but my

"heels we could not see for dust."—[*Official Report*, 3 April 2001; Vol. 366, c. 167.]

In fact, as you will recall, Mr. Speaker, I spent five years clearing up the mess that the right hon. Lady and her former employer left behind after he was found dead in the Atlantic and it was discovered that £400 million was missing from the pension funds of the Maxwell group. I set up the Maxwell Pensioners Trust, as a result of which every Maxwell pensioner and employee, including the right hon. Lady, now stands to receive his or her pension entitlement in full, despite the depredations of Robert Maxwell.

I appreciate that accusations minted by the Secretary of State for Scotland are scarcely legal tender and I am not worried about my own reputation. However, notable public servants such as Lord Cuckney, Jane Newall and others who ran the Maxwell Pensioners Trust brilliantly secured the return of the money and the protection of all those pensioners.

I have written to the Secretary of State and asked her to apologise or to repeat her comments outside the House. My question for you, Mr. Speaker, is what protection do we have in the event of such gratuitous insults, which bear on the honour of Members of Parliament and, more important, on the reputation of public servants outside the House?

Mr. Speaker: The right hon. Gentleman asks how he can rebut a case that has been made against him, but I would say that he has been able to do so today under that point of order. I cannot become involved in disputes between Members. I was present at Scotland Office questions and I can tell the right hon. Gentleman that the Secretary of State for Scotland was not out of order as far as the rules of the House are concerned. However, the right hon. Gentleman has been able to make his point, and his remarks about himself and others have been put on the record.

Mr. Dominic Grieve (Beaconsfield): Further to that point of order, Mr. Speaker. With reference to that occasion, is it not undesirable and contrary to the practices of the House that a Minister or anyone else called to answer should make such a point, which was unrelated to the question that was being asked?

Mr. Speaker: I have absolutely nothing to add to what I have already said to the right hon. Member for Hitchin and Harpenden (Mr. Lilley).

Mr. John Hayes (South Holland and The Deepings): On a point of order, Mr. Speaker. You may recall that at business questions last week, I asked the Leader of the House a question about the OECD report on education, which shows that, in many aspects of education, Britain is at the bottom of the league table of developed countries. The Leader of the House replied that my comments criticising the Government were inappropriate because the report

"was based on a survey . . . carried out in 1996".—[*Official Report*, 29 March 2001; Vol. 365, c. 1113.]

On reacquainting myself with that OECD report via the Library, I found that its tables on pre-school education, adults involved with education, school access to the internet and levels of attainment in education all refer to 1998, not 1996. Given that inaccuracy, and knowing that you would not want an inaccuracy to remain on the record, if I provide you with information from the House that supports my point, Mr. Speaker, will you make arrangements for that inaccuracy to be corrected?

Mr. Speaker: No.

Mr. Christopher Chope (Christchurch): On a point of order, Mr. Speaker. I refer to written answers at column 186 in today's *Hansard*. The Minister for School Standards has given me a pursuant reply, in which she says that the tables that she had given me on school achievement awards "contained inaccuracies"; my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) made that point earlier. However, in her reply the Minister does not say that, as a result of those inaccuracies, many of the schools and local education authorities with achievement awards that she lists are not entitled to those awards; we understand that some £2 million was wrongly awarded to local schools. Will you take action, Mr. Speaker, to ensure that the Minister issues a further pursuant reply to correct the information that she has given in today's *Hansard*?

Mr. Speaker: I am not responsible for Ministers' replies. Those are matters for debate, which the hon. Gentleman can take up with the Minister concerned.

Business of the House

1.43 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I beg to move,

That—

(1) at the sitting on Monday 9th April, the Speaker shall not adjourn the House until any messages from the Lords shall have been received;

(2) at the sitting on Tuesday 10th April—

(a) the provisions of the Order of 20th November 2000 relating to Thursday sittings and meetings of standing committees shall apply as if that day were a Thursday;

(b) there shall be no sittings in Westminster Hall;

(c) the Speaker shall not adjourn the House until any messages from the Lords shall have been received and he shall have notified the Royal Assent to Acts agreed upon by both Houses.

Perhaps it would be helpful if I briefly introduced the motion which, I anticipate, will ensure the orderly conduct of business, and is for the convenience of Members and House staff. If the motion is agreed, on Monday 9 April the House will not adjourn until any messages from the Lords have been received. On Tuesday 10 April, it will amend the House's sitting hours to a Thursday sitting which, I hope, will be for the convenience of Members. The motion also makes provision for the House not to adjourn until Royal Assent to any Acts agreed by both Houses has been reported by the Speaker.

There is nothing new or controversial about the motion. A quick search of the journals of the House will show that many similar motions were made in almost every Session of the last Parliament. If Royal Assent cannot be signified during the House's normal sitting hours, the motion provides that the sitting should be suspended until the appropriate time. I hope that the House will agree to the motion.

Question put and agreed to.

Regulatory Reform Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 1

REVIEW OF ORDERS

'.—(1) Every order made under section 1 shall include a provision for the Minister to present a report on the operation of the order in the fifth year after it has come into effect and for the order to cease to be in effect if there is a resolution to that effect by either House of Parliament within ninety days of that report being laid.

(2) In reckoning the period of ninety days referred to in subsection (1) above, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than four days.

(3) The report described in subsection (1) above shall include a review of the effectiveness of the order and of each of the matters set out in section 6(2) above in comparison to the statements laid before Parliament when the order was first made.'.—*[Mr. Lansley.]*

Brought up, and read the First time.

1.44 pm

Mr. Andrew Lansley (South Cambridgeshire): I beg to move, That the clause be read a Second time.

I am pleased to have the opportunity to move the new clause, which I tabled with my hon. Friends. In Committee, we had an opportunity not afforded to us on Second Reading to debate some of the purposes for which the Bill will be used by the Government. We did not, in Committee, seek to revisit the question whether the Bill should be wholly deregulatory, or whether it should have the scope to amend regulations in a manner that would create new burdens. We are concerned to use the structure of the Bill to best effect to deliver the objectives on which we all agree—to improve the quality of regulation—and wherever possible, from the Opposition's point of view, to ensure a reduction in the burden of regulation.

New clause 1 deals with the improvement of regulation and would ensure that in the long run it is put within a structure of regulation which helps to reduce the burden on citizens generally. I shall describe briefly how the clause would work and the benefit that it would bring. New clause 1 might be termed a sunset clause, but strictly speaking, it is no such thing. The purpose is not to disapply regulatory reform orders, but to provide that after a time—in the fifth year after a regulatory reform order has come into effect—a report should be made to the House about its effects. The new clause would give either House the opportunity to make a resolution disapplying the order.

The reason why we do not propose a sunset clause, as one might wish to do in relation to burdensome legislation, is that we continue to hope that the power will be used mainly, if not exclusively, for deregulatory regulatory reform orders. If that is the case, a sunset clause would reintroduce burdens that would otherwise have gone.

The new clause provides for review, expressly related to the original purposes for which a regulatory reform order was made. As the House knows, clause 6(2) provides for a substantial range of factors to be examined in relation to the proposal, including the burdens that will be affected and the extent to which those burdens will be reduced. The Bill requires Ministers to apply specific tests to legislation, to establish whether necessary protection is

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[Mr. Andrew Lansley]

retained, whether reasonable expectations continue to be met, whether a fair balance is struck between the public interest and the interests of persons affected, and whether, on balance, given the benefits that may flow from the order compared with the burdens that may be created or imposed, it is desirable for the order to be made.

All those tests, and the savings and costs that would result from a regulatory reform order, are to be reported in the document to be laid before Parliament before an order is made.

Mr. Michael Fabricant (Lichfield): I am grateful to my hon. Friend for giving way. Is the purpose of new clause 1 to investigate the effect of legislation over the previous five-year period, because it is considered that the regulation might be wrong; or is it necessary, as I suspect, because although a regulation may not have a deleterious effect on business when it is introduced, it may begin to do so after a while, as a result of changed circumstances in the business community?

Mr. Lansley: My hon. Friend makes a good point. It is reasonably obvious that the first of the considerations to which he referred will apply. His point flows directly from the one I was making on the need to examine the impact of the new structure of regulation that will be delivered by the regulatory reform order process, and to compare it with what was intended or expected to flow from it. He was right to say that the structure of activity within industry can change. That is especially important with regard to the burden on business. The burdens that flow from any given structure of regulation can also change over time.

As my hon. Friend asked about the purposes for which the new clause could be used, I should point out the reasoning that underlies the proposed requirement for an order to be reviewed in the fifth year after it has taken effect. It is not simply that sufficient time must be allowed for the impacts to be made and measured, although that is true, but that, of necessity, the provision would ensure that a report on the operation of the new regulatory structure would be presented to the Parliament subsequent to the one in which the order was made.

The new clause does not represent an intention that the structure of regulations or legislative activity should be continually re-examined anew by every Parliament. It is important, however, that, without examining the whole structure of new primary legislation, we should be always looking at the structure of regulation and using the process of regulatory reform orders to try to deliver progressively reduced burdens.

Mr. Fabricant: I thank my hon. Friend for his answer, and for giving way a second time. The new clause refers to review of the

"operation of the order in the fifth year".

Does that requirement imply that there will be no further reviews after the review has occurred? Should there not be ongoing reviews every five years? I fully appreciate that the burden that such a requirement would place on Parliament—if not business—might become quite heavy.

Mr. Lansley: It is not our intention, as will be obvious to my hon. Friend, that the new clause should create a structure of continuous reviews. Of course, a balance must be struck in terms of the burden that we place on the House and on the civil service in producing the reports to which the new clause refers. We do not want to impose a bureaucratic process for the sake of it.

Mr. Peter L. Pike (Burnley) *rose—*

Mr. Lansley: I shall happily give way to the Chairman of the Select Committee on Deregulation.

Mr. Pike: A few moments ago, the hon. Gentleman listed all the tests that are applied. Has not the Deregulation Committee in the current and previous Parliaments carried out its duties carefully to ensure that all proposals meet those tests? Is it not reasonable to assume that, in the next Parliament, the new Committee will do its job in exactly the same way, whoever serves on it? If such a five-year clause is to be implemented, could not a similar provision be contained in almost every single other Bill that the House enacts?

Mr. Lansley: As Chairman of the Deregulation Committee, the hon. Gentleman will be only too aware of the structure into which the new clause would fit. He is perfectly right that it is one of the tasks of the House of Commons Deregulation Committee and the Delegated Powers and Deregulation Committee in the House of Lords to scrutinise in due course the tests that must be met under the regulatory reform orders. It is certainly our hope that the conscientiousness with which those Committees conduct their work will be reflected in the next Parliament, as it has been in this one.

The hon. Gentleman will perhaps understand that the new clause is in no sense intended to undermine the task of the Committees or to suggest that they might not do their job effectively when regulatory reform orders are made. It is simply to reflect the fact that, over time, decisions and judgments can change. For example, the fair balance test applies to the public interest versus the burdens that are imposed on others. Although that balance is expected to be fair and to pass the test, time may show that not to be the case.

To complete my answer to the hon. Member for Burnley (Mr. Pike), just as we hope to create a review structure for regulatory reform orders, there is also good case for introducing sunset clauses, which create burdens.

Mr. Robert Jackson (Wantage): Does not my hon. Friend agree that the mechanism in the new clause resembles the regulatory impact assessment that the Deregulation Committee sought to obtain from the Government? My hon. Friend seeks an assessment of regulatory impact after five years rather than when the measure is introduced.

Mr. Lansley: It is true that the document that new clause 1 proposes is a review of the regulatory impact. However, my hon. Friend knows that the tests that will be applied and reported under clause 6(2) are wider than conventional regulatory impact assessments. For example, the fair balance test does not test regulatory impact as such, but whether the balance between the benefits to the public interest and the burdens on private persons necessitate making the order. That is also true of benefits that accrue generally when burdens are imposed. A fair balance and

desirability do not exactly constitute the mechanism of a regulatory impact assessment. A judgment must be made about costs and benefits. Ministers must review that after an order has been introduced.

Mr. Brian White (Milton Keynes, North-East): I have some sympathy with the first part of the hon. Gentleman's aim, which is a review after five years. However, the Deregulation Committee or its successor will examine the impact of the orders after three years. What is the hon. Gentleman trying to achieve that is different from the aim of the Deregulation Committee?

New clause 1 would provide for the order to expire. Reintroducing an order after five years in a completely different climate, which the hon. Member for Lichfield (Mr. Fabricant) mentioned, may not be the best way in which to proceed. Its effect would be re-regulation.

Mr. Lansley: I do not agree with the hon. Gentleman's first point, because, as I understand it, the review that the Deregulation Committee proposes would not allow a detailed examination of each order's effects. It would examine the process and the purposes for which the regulatory reform order procedure had been used. I hope that the volume of deregulatory activity under regulatory reform orders will be so substantial that examining each one in detail would be beyond the scope of a review by the Deregulation Committee. A flow of reports that would allow the House to examine the effect of individual regulatory reform orders is a better process.

On reviewing regulatory reform orders differently, future Ministers may find that, in practice, such orders create a new structure of regulation. One of the most obvious examples that Ministers have presented is the proposal to re-regulate the complex structure of fire safety legislation. I suspect that Ministers would freely acknowledge that the likelihood of their getting that structure right first time is limited. The prospect of having to return to the process is quite high.

2 pm

We are not proposing that there would of necessity have to be the disapplication of the first regulatory reform order on fire safety legislation before bringing in another. It would be open to Ministers to bring forward a new order and to go through the normal process of scrutiny, for example, so as to deliver the objective.

The new clause is intended to introduce a review process, which is valuable in itself. In circumstances where the review gives rise to the conclusion, by Ministers or the House, that the regulatory reform order agreed to previously did not have the benefits that it was intended to have—it did not meet, for example, the fair-balance test, or in the event had removed necessary protection that should have been retained—the best way in which to proceed may be to disapply the order rather than to seek to start again with a new order.

The benefit of the new clause is primarily in the obligation which it lays before Ministers to present a review. Secondarily, it gives Ministers the opportunity to use the simple mechanism of disapplying an order before thinking again about how to deal with it.

Mr. John Bercow (Buckingham): My hon. Friend is making a persuasive case for the new clause. Is he aware that in addition to reflecting the wishes of the authentic voices of British business, the new clause also enjoys vociferous support from Mrs. Marion Rix, the excellent prospective Conservative parliamentary candidate for Milton Keynes, North-East? That is a matter of importance to the House, as she is about to replace the hon. Member for Milton Keynes, North-East (Mr. White) as that constituency's representative in this place.

Mr. Lansley: I am grateful to my hon. Friend for his support. I would be grateful for the support of the prospective parliamentary candidate to whom he refers, who I know happens to have many positive qualities.

My hon. Friend brings me to an important point. He says correctly that the principle of sunsetting—we are talking of a review provision that allows for that possibility—has wide support. Only about a week ago, the British Chambers of Commerce published its pre-election manifesto, entitled "Empowering Business". One of the organisation's objectives, in the context of a better regulatory environment, is that the Government should

"make the criteria for sunsetting regulations explicit and use sunsetting as a norm in all new regulations."

The Institute of Directors has likewise said that it believes that the Government should

"introduce a programme of reviewing the regulations that affect individual sectors on a regular rolling basis. This could be every five years. Regulations should have sunset clauses so that they expire unless there is a conscious attempt to renew them."

Mr. Fabricant: My hon. Friend has talked about the need for a cost-benefit analysis as part of the review, and there was a discussion of fire safety regulation. Does he share my concern that when it comes to fire safety regulation and health and safety at work regulation, in practice it is difficult for Members to take the decision to repeal legislation that may result in someone's injury or death, no matter how small the chance of that event might be?

Mr. Lansley: Yes, I take my hon. Friend's point entirely. I shall not be tempted by him to analyse health and safety legislation. I referred specifically to fire safety legislation because it is one of the most prominent examples that the Government have used of the way in which regulatory reform orders are intended to be used.

In this context, it illustrates rather well the importance of such a review procedure, because a regulatory reform order relating to fire safety legislation might be laid before the House to structure the whole fire safety system round risk-based assessment rather than the present prescriptive approach. I am sure that the Minister will recognise that that might be a novel way of trying to address this form of regulation. That is not a bad thing, and it might be a good thing. It would, no doubt, redistribute burdens, in that it would create burdens for some and reduce them for others. Prospective impacts would be expected to flow from it, and they would be speculative. It is, therefore, important to review the operation and structure of such legislation, and I hope that Ministers will recognise the value of the new clause in allowing that to happen.

I illustrated my case with the example of fire safety legislation. However, the new clause also fits with the business community's estimation of what a good regulatory environment should look like because it involves a constant

[Mr. Lansley]

process of review. That is not the same as the constant downward pressure that the Government should apply to the total regulatory burden, but it is an essential part of helping to achieve that pressure.

Mrs. Ann Winterton (Congleton): Bearing it in mind that the reviews would be held approximately five years after the introduction of the orders, does my hon. Friend believe that they would exert a downward pressure on the number of orders introduced, and that that could have a beneficial effect on the over-regulation of business?

Mr. Lansley: I indeed believe that, for a rather civil-servant, Whitehall reason, among others. I am loth to create a bureaucratic process that creates additional burdens for the sake of it. Far be it from us to do that; we want to do quite the opposite. The process of review by which Departments will have to bring back before Parliament and substantiate earlier decisions and judgments will be a constraint on those Departments under-estimating the costs and impacts that flow from new regulation, or over-estimating the benefits. I hope that such a review process would be a persuasive psychological constraint on those who introduce regulation in the first place.

My hon. Friend's intervention leads me to an interesting point. The five-year period would have a further benefit, because we would have allowed sufficient time to pass to understand the wider impacts of any regulation. There is a tendency, which we discussed briefly in Committee, at the point at which regulations are made, for the discussion of impacts to focus on the direct compliance costs, and the measurable, immediate, direct effects of introducing a regulation. However, the impacts of any legislation tend to be wider and longer. As my hon. Friend the Member for Lichfield (Mr. Fabricant) implied earlier, the impacts tend to be on an industry's relative competitiveness, and the relative costs to businesses.

I shall illustrate that point with one of the most forceful examples of the necessity of re-examining the kind of regulatory impact assessments that have previously been made by Departments. The House will recall the recent passage of the Regulation of Investigatory Powers Act 2000. At that time, a regulatory impact assessment was attached to the legislation. I have it here. The regulatory impact assessment on part I of the Act states:

"Total compliance costs in the short term are not expected to exceed the measure of significance (£20M) used by the Regulatory Impact Unit of the Cabinet Office."

Subsequently, the assessment says of part III:

"Total compliance costs to business relating to Part III of the RIP Bill are not expected to exceed the measure of significance (£20M) used by the Regulatory Impact Unit of the Cabinet Office."

On the face of it, the 2000 Act seems relatively benign. However, in the course of an examination of the economic impact of the Act, the British Chambers of Commerce commissioned an independent report, to which there were a number of contributors. It was essentially conducted by independent academics. It is interesting to look at their conclusions about the prospective impacts of the Act. They stated in relation to part I that the direct cost to internet service providers over five years would be £640 million.

The report then looked at the costs arising from the technical design requirements that would lead to the diversion of business away from UK suppliers to non-UK suppliers. It said that estimates of the overall cost to the UK vary considerably, but are likely to reach more than £1 billion a year by 2002.

The report's authors considered that the compliance costs in relation to part III were substantially underestimated, and that a five-year estimate would be of the order of £640 million. They then looked at the overall financial implications of the Act. They looked at the losses and leakage, as they put it, to the UK economy from diversion generally and the cost, and put those at a total of up to £46 billion in the first five years of operation.

Mr. White: Is the hon. Gentleman aware that the Home Secretary has written to the British Chambers of Commerce pointing out that the figures just quoted are greater than the entire internet turnover of the various companies at the time? The figure for leakage is given as 5 per cent. but the figures add up to more than 100 per cent. of current turnover.

Mr. Lansley: This is not the time to examine the whole report, which runs to 35 pages. However, the hon. Gentleman will understand that the report anticipates diversion not from an existing but a prospective level of business over up to five years. In a sense, he has helped to make my point. The authors of the report are working within a range of estimates of the growth of business for internet service providers over five years.

Given the conflicting estimates of the regulatory impacts over a five-year period, we could find that the Home Office is right and that the regulatory impacts of the legislation over five years are modest. Alternatively, we could find that the costs are at the high end, illustrated by the report prepared for the British Chambers of Commerce, which I agree seem very large indeed. If the report is right about the direct costs of £640 million or the cost of the diversion of business amounting to £1 billion, those figures are orders of magnitude greater than the regulatory impacts foreseen by the Home Office in the report.

We may not know for two or three years whose estimate is right. However, it would be regrettable if Ministers legislated on the basis of one set of estimates and the whole system goes to "fire and forget" when it ought to be the responsibility of the House to look again at the legislation. It is the commitment of my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) that when we have the opportunity to do so, we shall review it for that reason.

2.15 pm

Mr. Bercow: We do not need to [illegible] into the crystal ball when we can read the book. Is it not the case that the torrent of regulations and the absence of any trigger mechanism for their review prevents businesses from expanding, causes them to stand still and forces many of them to shed staff? Does my hon. Friend agree that even if we leave aside the considerable number of companies that go bankrupt, large numbers of small business owners,

faced with this unfavourable regulatory environment, choose to give up the unequal struggle against the regulatory leviathan altogether?

Mr. Lansley: My hon. Friend makes a case against the burden of regulation, as he does regularly. He sets the argument in the right context. It is wrong for us to think, as we are often tempted to, about individual regulations while ignoring regulation in general and the overall burden that it imposes.

It is vital, as both my hon. Friend the Member for Buckingham (Mr. Bercow) and my right hon. Friend the Member for Wells, the Opposition spokesman on trade and industry, have made perfectly clear, to set our regulatory activity in the context of commitments not only to sunset clauses but to regulatory budgets so that we bring down the burden of regulation progressively. That is the only way to unlock competitiveness and bring further growth.

Mr. Ian Stewart (Eccles): The hon. Gentleman outlined a range of important issues that need to be addressed. However, does he not accept that his view that deregulation is the only way to success is wrong and that underinvestment has had at least the same impact, if not a greater one, than regulation?

Mr. Lansley: I am surprised that the hon. Gentleman should characterise my remark as suggesting that regulation is the only issue for competitiveness. It is, none the less, important for that. The latest MORI survey of business suggests that the ranking of importance of issues to businesses for their future competitiveness is skills shortages, followed by regulation. He should not underestimate the importance of regulation to business in its future competitiveness.

Of course the hon. Gentleman is right that investment is important. Businesses will find, I am afraid, that the structure of domestic savings in the economy is such that the future prospects for investment are considerably reduced, as is the prospect for private sector investment and consumption, because the Government are crowding out private sector activity with extravagant growth in the public sector.

Mr. Fabricant: My hon. Friend is more than generous in giving way to me. What is important, as the Prime Minister might say, is to recognise that there is a problem. Is my hon. Friend aware that the World Economic Forum has identified the fact that Britain, which was in fourth place in the competitiveness league for businesses in 1997, when the Government came to power, has fallen to ninth place?

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. Will the hon. Gentleman please confine his remarks to the new clause?

Mr. Fabricant: This has everything to do with new clause 1. You will have read new clause 1, Madam Deputy Speaker. Does my hon. Friend agree that the lack of competitiveness can be combated by new clause 1, which would ensure that regulations that create uncompetitiveness can be repealed?

Mr. Lansley: I am grateful to my hon. Friend. New clause 1 would create a structure of review similar to sunset clauses and should be applied to new burdens created in primary legislation. It is an important part of creating a deregulatory framework.

Sir Martin Jacomb was instrumental in privatising British Telecom in the mid-1980s. He later became chairman of the Prudential and deputy chairman of Barclays bank. This week, he wrote in *The Daily Telegraph* about the impact of regulations and bureaucracy on business. I shall refer to only one of his recommendations for turning back the tide of regulation. He stated that home-grown regulations should have sunset provisions built in, that they should be subject to automatic review after a specified period, and that they should automatically expire if not renewed. The Bill is a regulatory measure as well as a deregulatory measure, so it is important to build a sunset review into the structure of regulation.

Finally, I draw attention to the fact that a review provision under the new clause would allow the House to become more aware than hitherto of the burden of regulation as experienced outside. We want to get away from "fire and forget" with regard to regulations, because even now our knowledge of regulatory impacts is limited.

In March, the Minister for the Cabinet Office published the latest of her six-monthly reports on regulatory impact assessments. It detailed the 79 assessments made between 1 July and 31 December 2000—more than enough for six months, one would have thought—but one or two seemed to have been omitted. I was surprised at that, given how comprehensive and thorough she is, so I investigated further.

I found that 20 regulatory impact assessments made by Government Departments were not listed in the report. For example, an assessment was published of a European directive relating to measures to be taken against air pollution by emissions from passenger cars and light commercial vehicles. The assessment was signed by Lord Whitty on 5 December 2000, and estimated the cumulative effect of the proposals in annualised costs to UK manufacturers at between £980 million and £1.47 billion, with a price impact on a new medium-sized vehicle of between £420 and £885.

Other assessments of orders or regulations absent from the March report are equally interesting. They include assessments of orders dealing with regulating the supply of number plates, which has a less marked impact than the example that I have just given. Another assessment was of an order dealing with the supply of new cars, which was signed by the Secretary of State for Trade and Industry on 31 July. Another missing assessment relates to the Disability Discrimination Act 1995, in which additional continuing costs were estimated at £74 million a year.

Among the other assessments missing from the report was one of an order relating to a proposal to introduce vehicle identity checks. That order was signed by a Minister in another place from the Department of the Environment, Transport and the Regions, and its cost was estimated at £22 million a year. Another order—the only one that I could find that benefited industry through a reduction in compliance costs—related to the Gaming Act 1968. Another, dealing with fees for goods vehicles—

Mr. Ken Purchase (Wolverhampton, North-East): The hon. Gentleman mentioned the costs of implementing

[Mr. Ken Purchase]

regulations to assist disabled people. I remind him that many disabled people have made a huge contribution to the country's economy but, without the regulations that allow them to work, their skills would be lost to us.

Mr. Lansley: The hon. Gentleman must not misunderstand me. My purpose is not to debate the merits of the measures, which may be greater than their costs. That relationship is examined when any regulation is introduced. I am sure that he will agree that the Disability Discrimination Act 1995 was an excellent measure. It was taken through the House by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague). I agree that there is a need to protect disabled people in law.

Some of the measures incur substantial costs, but it is beyond many hon. Members to keep track of the regulatory impacts of legislation.

Mrs. Ann Winterton: My hon. Friend has given the House a list of orders and regulations subject to regulatory impact assessment. Do most of them emanate from the UK Parliament, or from the EU? Does not he believe that sunset clauses or a five-year review should apply equally to regulations emanating from Europe? Unlike Britain, other countries in Europe do not even try to implement regulations that inflict tremendous on-costs on our business.

Mr. Lansley: My hon. Friend makes an important point. The Government must show a determination to achieve deregulation in British legislation, and demonstrate a willingness to impose the sunset clause structure on UK regulation. Otherwise, they could not argue in good conscience, to the European Commission and the European Council, that a similar structure should be imposed on European legislation. It is vital that we do that, because many of the measures to which I referred emanate from European legislation.

I should clarify to my hon. Friend that I was not quoting from the Cabinet Office report. I was referring to regulatory impact assessments that apparently were made in the relevant period but which did not appear in that report. Some of the regulations and orders stem from domestic legislation, but others, such as the one dealing with changed emission standards for passenger and light commercial vehicles, are made domestically in response to European directives. The RIA in that case found the costs involved to be very large, and the relevant regulations arose from European directive 98/69/EC. The measure was therefore not so much UK-inspired as EU-inspired.

Mr. Bercow: I am relieved that my hon. Friend agrees with my hon. Friend the Member for Congleton (Mrs. Winterton), that the principle of the Bill should also apply to European directives and regulations. Does he agree that, when it eventually does so, it should be capable of retrospective effect? Unless that were the case, the House could not address the legitimate concerns of business organisations about the Part-time Employees (Prevention of Less Favourable Treatment) Regulations 2000. I am sure that my hon. Friend is intimately familiar with every line of them.

2.30 pm

Mr. Lansley: I may be, but then again, I may not. My hon. Friend makes an interesting point, although I must confess that I am not often tempted by retrospection. One of the objectives of regulation is to provide certainty and clarity. The greatest uncertainty that one can create for businesses is to make them believe legislation is one thing only for them to find that it has been changed, so I am not tempted to say that we should pursue retrospection. Indeed, sunset clauses are not designed for that purpose but to enable a review of what has occurred to be undertaken so that the necessary changes can be made to achieve a deregulatory effect.

Certainly, if the objective—to which I know my hon. Friend subscribes—is to reduce the burden of regulation systematically and progressively, no doubt he will look to the proposals that my right hon. Friend the shadow Secretary of State for Trade and Industry has made to apply a regulatory budget to Government Departments. That would have to include the impact of EU measures on the UK. To return to the point that my hon. Friend the Member for Congleton (Mrs. Winterton) rightly made, the necessity of taking such measures in new clause 1 and applying them to European legislation should be borne in mind. If we do not do that, we shall have no way of preventing those burdens from being imposed on us by Europe.

In conclusion, it will be apparent to the House that the objective is a measured one. It is not to disapply regulatory reform orders willy-nilly, but to provide for a review process. Business organisations clearly subscribe to the idea of a systematic process of review, as was illustrated on Second Reading by Ministers and Labour Members who claimed to attach importance to the views of business organisations in relation to the Bill. I hope that they accept that those organisations believe that the structure of the legislation would be much improved by a built-in sunset provision. The need for review is clear because—I hope—the volume of regulatory reform orders and their importance will be such that we should not allow legislation to be made without Parliament being aware of its effects.

I hope that the Bill will have a beneficial impact on Whitehall in ensuring that the statements in documents laid before Parliament when regulatory reform orders are first made are as rigorous and justifiable as possible, because Ministers and officials will know that they will be subject to detailed scrutiny against subsequent experience. New clause 1 will therefore help to position the Bill in the structure of the new deregulatory intention that the Conservatives will achieve when we are in government after the general election.

Mr. White: The hon. Member for South Cambridgeshire (Mr. Lansley) began by making a fairly good case in relation to the review, but the longer he continued his argument, the more it revealed the true nature of his intentions. If we are serious about having a review, we should address the way in which the House reviews regulations and the myriad Committees involved. They include the Joint Committee on Statutory Instruments, the Deregulation Committee and various European Standing Committees. New clause 1 does not even attempt to do that.

It became clear from the hon. Gentleman's speech that he continues to confuse content with application. There may be a fundamental argument about content.

The intervention of the hon. Member for Buckingham (Mr. Bercow) completely confused the content of regulation with its application, and I am glad that the hon. Member for South Cambridgeshire was not tempted down the route that the hon. Member for Buckingham was leading him. I would be the first to say that a great deal of bureaucracy is involved in the application of regulations on health and safety and employment rights, for example, but their content is extremely important. In those cases, the content may be right, but there is an argument about whether their application is the best way of proceeding.

Mr. Bercow: It is always a pleasure to joust with one of my parliamentary neighbours. The hon. Gentleman may disagree with me, and frankly I should be considerably alarmed if he did not, but he is quite wrong to accuse me of being confused as between content and application. I am not in any way confused about this important matter. I strongly deprecate the content of much of the regulation that is foisted on British and Buckinghamshire business and I strongly object to the manner of its implementation.

Mr. White: I am sure that the hon. Gentleman is not confused and that he is indeed opposed to the content of certain regulations. If a Tory Government were ever to be re-elected and the hon. Gentleman were to get the chance to implement his views, I fear that the country would be damaged by the removal of regulations protecting employees' rights or health and safety. I am reminded of Churchill's comments when he introduced the wages councils. He spoke of the need to introduce regulation in order to stop the worst driving out the good. The hon. Gentleman and the modern Conservative party should look again at the history of their party in providing those protections.

Mrs. Ann Winterton: The hon. Gentleman has been talking about the content and the implementation of regulation and making assertions about what a future Conservative Government may or may not do. Will he give a moment's consideration to the amount of regulation that the Labour Government have introduced over the past four years? It has increased exponentially. Every business—small, medium and large—complains about it, as does every part of the public sector, including the teaching profession, doctors and hospitals. Does he agree that we have had far too much regulation, and does he not welcome means to reduce it?

Mr. White: I sit on the Joint Committee on Statutory Instruments, which looked at the number of regulations that are made per year—it averages about 3,000, which is the same as under the previous Government. The hon. Lady misses the point that a high percentage of those regulations simply change the level of a fee or have some similar effect. Therefore, it is not enough simply to look at the total number of regulations.

The Deregulation Committee or its successor will consider regulatory reform measures, and that is the appropriate way forward. The hon. Member for South Cambridgeshire is right to say that review is absolutely critical, but he is wrong to propose the introduction of a sunset clause that would allow re-regulation, which is why I fear that new clause 1 takes entirely the wrong direction. As I have said in the House, there is a role for a sunset clause in respect of certain pieces of primary legislation, but new clause 1 would not achieve that. Nor does it address the mechanisms with which a review should be conducted. I would argue that the Deregulation Committee's recommendation of a review after three years rather than five is the appropriate way forward and I would urge my hon. Friend the Minister to reiterate the commitment that he gave in Committee to take on board the proposals of the Deregulation Committee.

Mr. Robert Jackson: I rise at this late stage of the proceedings on the Bill as possibly the only hon. Member present who was not a member of the Standing Committee to support the good intention of the Bill and to join my hon. Friends on the Front Bench in urging the Government to go further in a number of significant areas.

I look at the issue with a fresh mind, unclouded by the experience of the Committee. It seems to me that the Bill reflects a considerable amount of common ground between the parties. First, there is general recognition among Members on both sides of the House that the extent, burden, complexity and enforcement style of Government regulations are serious issues.

The story began under the previous Conservative Government. When my right hon. Friend the Member for Henley (Mr. Heseltine) was appointed to the Department of Trade and Industry in 1992, he created the deregulation taskforce and set up a unit of DTI civil servants to support it. When he became Deputy Prime Minister five years ago, he took that unit with him to the Cabinet Office—the heart of the Government machine. When the Labour Government came to power in 1997, they retained the unit in the Cabinet Office. It is true that they renamed it the "better regulation taskforce", arguing—perhaps ominously—that, whereas deregulation implies that regulation is not needed, in fact

"good regulation can benefit us all".

That shift of philosophical perspective has so far not turned out to be as portentous as might have been feared. Lord Haskins and his colleagues in the taskforce and the officials in the regulatory impact unit scrutiny team and in the departmental regulatory impact units deserve our thanks for their continuing work.

A second area of common ground between the parties is reflected in the Bill. The measure builds on the Conservative Government's Deregulation and Contracting Out Act 1994. At the time, the Labour Opposition strongly criticised the Act, but in government—as in so many other areas—Labour has been content to build silently and without acknowledgement on what they inherited, covering their retreat from the asperities of Opposition with the odd name change and the occasional philosophical flourish.

The 1994 Act was an innovative piece of legislation; some of its innovations were clearly experimental—they were always going to require improvement in the light of experience. For example—

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are debating new clause 1 rather than Second Reading.

Mr. Jackson: As I did not participate in the Committee proceedings, I wanted to give some background to my thoughts on new clause 1, but I shall address it directly.

Mr. Lansley: Does my hon. Friend share my view that one of the benefits of new clause 1, in allowing a review

[Mr. Lansley]

and a simple disapplication of regulatory reform orders, is that it introduces an additional buttress to the supra-affirmative procedure that is at the heart of the new mechanism introduced under the Deregulation and Contracting Out Act? At the time and since, the procedure was seen by the House to be exceptional—it was designed for a particular purpose.

Mr. Jackson: I thank my hon. Friend; that is precisely one of the points that I want to make. At this stage of my speech, however, I am suggesting that, as there is much common ground, that may be a reason for the Government to move towards the Opposition on new clause 1.

Mr. Bercow: My hon. Friend helpfully traces the background to our discussion. I have a characteristically non-partisan observation. Of course, my hon. Friend is right to refer to our right hon. Friend the Member for Henley (Mr. Heseltine), who is very important, very senior, very distinguished, very influential, very respected and very busy, but does he agree that one of the difficulties during the tenure of our right hon. Friend was that, although he presided over the elimination of a good many regulations, a substantial number of new regulations simultaneously appeared—not least from Europe? Does that not underline the importance of a structured and strategic approach and of a proper review mechanism? Apparently, that did not occur to our right hon. Friend.

2.45 pm

Mr. Jackson: My hon. Friend is right. The issue is important. There is a continuing tide of regulatory activity—much of which is justified, but some of which may not be. It is appropriate that there should be proper mechanisms in the House and in the other place to address that matter. My hon. Friend the Member for South Cambridgeshire makes proposals, which I support, to improve those mechanisms, but I want to continue to outline why the Government should acknowledge that there is common ground between the parties on which we can build.

A final and important area of common ground is the way in which the operation of the legislative procedures in both Houses of Parliament has been developed under the 1994 Act. The Select Committee on Deregulation, whose Chairman was in the Chamber earlier, and the Select Committee on Delegated Powers and Deregulation in the other place are examples—I hope, pioneering examples—of Select Committees performing what are, in essence, legislative functions.

The Bill reflects a welcome convergence of views between the parties on both the substance of the matters with which it deals and the procedures by which we address them. Of course, the Opposition would like the Government to go further and faster. Although the Cabinet Office is probably right in claiming, on its internet site, that the number of new regulatory measures significantly affecting business has remained

"broadly stable in recent years"—

a figure of 166 in 1999 is given—that is merely a statistical measure; it does not adequately reflect the growth, under the Labour Government, of the burden and complexity of regulation.

The Opposition have opposed that trend as it has manifested itself in successive pieces of legislation. As my hon. Friend the Member for South Cambridgeshire explained, in the specific area of regulatory reform—the subject of the Bill—we have made proposals to strengthen the arrangements set up in the mid-1990s and maintained by the Labour Government.

The issues raised by new clause 1 are the subject of continuing debate—we have yet to hear what the Parliamentary Secretary, Cabinet Office has to say about it; there seems to be a divergence of view between the Opposition and some Government Back Benchers, especially on sunset clauses, which are addressed in the new clause. I urge the Government to build on the wide common ground that I have described and to give a fair wind to my hon. Friend's proposal, even at this late stage of the Bill's proceedings.

The Government ought to offer a package deal, in relation to which I refer to the point made by my hon. Friend the Member for South Cambridgeshire in his intervention. In many ways, the most important feature of the Bill is its provision for the use of new procedures set up under the 1994 Act not only to simplify and reduce the burden of regulation, but, in certain strictly defined circumstances, to apply new regulatory burdens. I realise that the Government are sensitive to the natural concern to which the proposal gives rise—that innovative procedures, which have been working well on the implicit basis that regulatory burdens should be reduced, might be diverted into the expansion of such burdens. That is why we have associated with the proposals all the provisions in clause 3 for necessary protection, reasonable expectations, fair balance and desirability and, in clause 1, for proportionality. That is why the Government made concessions on desirability to Lord Goodhart in the other place.

I hope and believe that it will be possible to maintain all-party consensus on the matter; that is why we want to introduce amendments dealing with the creation of new regulatory burdens—although as that issue is dealt with by amendment No. 2, I shall not address it now. It is clear that the approach taken by my hon. Friend the Member for South Cambridgeshire is to build that consensus. The two Select Committees were unanimously of the view that the new powers could be constructively exercised in the spirit of the work that has been going on since 1994.

I draw attention to the reservations, expressed in the Deregulation Committee's third special report, about the Government's refusal to accept a requirement for the provision of regulatory impact assessments. I referred to that matter during an intervention on my hon. Friend the Member for South Cambridgeshire. The Committee suggested that there should be a link between the new powers desired by the Executive to extend regulatory burdens and the introduction of a new procedure to contain and limit regulatory burdens. That is what I had in mind when I referred to a package deal.

If the type of regulatory impact assessment that is sought by the Deregulation Committee in this place is impractical for some reason, or is too burdensome, surely the Government could look constructively at whether the Opposition's proposal in new clause 1 might offer a more satisfactory alternative. As my hon. Friend the Member for South Cambridgeshire explained, the Opposition do not have in mind the simple, sunset provision that was examined and rejected last year by the Delegated Powers

and Deregulation Committee in the other place. The Opposition recognise that a provision for the automatic expiry of all regulatory reform orders after a certain period could create an intolerable burden for Parliament and officials.

My hon. Friends propose a system of automatic post facto regulatory impact assessments, by which the Government have to report on the operation of all orders approved under the new procedures after five years, so that their effectiveness in practice may be considered and their continuing operation approved by Parliament in the light of those reports.

That proposal seems eminently reasonable. It could offer the sort of balance required for the Executive's new regulatory powers under the legislation and also required in the spirit of the joint work on deregulation. In the other place, the Cabinet Office Minister, Lord Falconer, gave a commitment to report to Parliament on the operation of the Act three years after its enactment. We may have to wait for that review before the Government take on board the thinking that is embodied in new clause 1.

I hope that, even at this late stage in our proceedings, the Government will demonstrate that they have an open mind and that they are open to constructive suggestions. On that basis, I commend the new clause to the House and hope that the Government will say that they are willing to accept it.

Mr. Ian Stewart: Hon. Members have said that there is some cross-party agreement about regulation and deregulation. I think that all sensible commentators acknowledge the urgency of removing unnecessary burdens. What disappoints me about Opposition Members is their unbalanced approach to the issue. They focus, properly, on industry, but they do so in an unbalanced way. The regulations and this system of deregulation will affect individuals across the spectrum. They will affect not merely industry but social policy.

The intention behind the Opposition's new clause is to ensure that the Government review regulations after five years. The Opposition keep referring to sunset clauses, with which new clause 1 does not deal. That policy is not acceptable to Labour Members and, in particular, to Labour members of the Deregulation Committee. We are firmly in favour of the constant review of regulations in the bid to get rid of those that are unnecessary or burdensome. The three-year period that the Government have suggested is a much better option, when one bears in mind the continuous regulatory review philosophy.

Therefore, I will vote against new clause 1 and I hope that my colleagues on the Labour Benches and in the other Opposition parties will join me.

Mr. Fabricant: I do not follow how one can have a constant review as the hon. Member for Eccles (Mr. Stewart) has suggested. This Government alone have introduced 3,000 regulations. How could a committee keep so many regulations constantly under review?

Mr. Stewart: The hon. Gentleman has highlighted the point made by my hon. Friend the Member for Milton Keynes, North-East (Mr. White). What is at issue is the process. No single committee could do that on its own. Therefore, we have to establish a culture of regulatory review across all Departments and have a proper structure, in line with that outlined by my hon. Friend.

Mr. Fabricant: That culture patently does not exist, which is why the Government have introduced the Bill and I commend them for doing so. As my hon. Friend the Member for Wantage (Mr. Jackson) pointed out, successive Governments have tried to regulate the burden on industry and, as the hon. Member for Eccles said, on other parts of our society, and we all welcome that.

Mr. Bercow: My hon. Friend is being extraordinarily gentle with the hon. Member for Eccles (Mr. Stewart). Does he agree that the hon. Gentleman, in a thoroughly unpersuasive fashion, erected an elaborate smokescreen by talking about an on-going review, when the Government are undertaking nothing of the sort? Does my hon. Friend agree that it would at least be a credible earnest of the Government's good intentions in this matter if they were to publish an annual statement of the costs of regulation? The Government do not do so, as they told me in readiness for my ten-minute Bill on 27 April 1999.

Mr. Fabricant: The Government do not produce a cost-benefit analysis of their regulations, just as they do not want to produce one for our membership of the European Union, simply because they do not want to publish whether there is a cost or a benefit for either. As for my hon. Friend's remarks about the intervention by the hon. Member for Eccles, the process of continual review has been singularly ineffective—

Mr. Bercow: Absent.

Mr. Fabricant: Indeed, it has been absent. That is why the Government are trying to change the situation by introducing this Bill. It is necessary, but new clause 1 would strengthen it. I fear that, without the new clause, the Bill would simply be another paper tiger. There is no question but that the new clause is necessary.

As I tried to point out earlier, the competitiveness of British industry—I shall deal with other aspects of our social life in this country—has declined. It was in fourth place in 1997 and now it is ninth, which is a drop of five places. That is serious. To those who say that we are booming and booming, I point out that the first thing that suffers when business, and commerce in general, declines is advertising. It is always the first to go.

Capital Radio plc—an organisation with which I was intimately involved before I came to the House—has had to issue a profit warning and Scottish Radio Holdings, which may be closer to the heart of the hon. Member for Eccles, has also—

Mr. Stewart *indicated dissent.*

Mr. Fabricant: The hon. Gentleman denies it, but I pointed it out only because I thought that I detected from his accent the slightest Scottish connection.

In Scotland too, commercial radio stations have had to issue profit warnings on the amount of advertising revenue that they receive. The first thing that companies do when they start to get into difficulties is to cut their advertising budgets, hence the need for new clause 1.

[Mr. Fabricant]

The hon. Gentleman was right to say that it is not merely industry per se that will be affected; other aspects of our lives will be affected, too. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) talked about fire safety and I mentioned health and safety regulations in an intervention. I greatly fear that, if new clause 1 is accepted and the Government try to conduct reviews in those areas, they will find it difficult.

3 pm

It has to be said that all Governments have the gravest difficulty in handling regulations that have been introduced to produce safety mechanisms for workers and people in general. There is a ratchet effect. No one wants people to be put in harm's way, but as my hon. Friend the Member for South Cambridgeshire has said, there must be a risk assessment—a new approach to the way in which we analyse the effect of regulations on businesses and individuals. However, as we have seen already in relation to the consequences of the Hatfield tragedy, that risk assessment is not easy.

A huge amount of money has been invested, quite rightly, in refurbishing our rail stock and, to some degree, the lines themselves. Given the statistics provided by the Department of the Environment, Transport and the Regions, one must consider that, post Hatfield, it is still eight times safer to travel on the railways than on the roads per passenger mile—perhaps I should say per passenger kilometre nowadays.

Mrs. Ann Winterton: Oh, don't.

Mr. Fabricant: I shall stick to using the phrase "per passenger mile".

That is the sort of risk assessment that people have to make when considering the possibility of injury or death. If we were to say that travelling on the roads carries a greater risk, the Government would not say that we must close all our roads, because that would be a ridiculous consequence.

The point that I am making—perhaps not very well at the moment, but I shall clarify it—is that there is a risk to everything in life, whether travelling by road, by air, or even crossing a road on foot, and Governments have constantly to assess whether the risk is so great that regulations must be introduced. However, new clause 1 would go further than that. It states that there should be a review as to whether a regulation should be removed, which is a wholly different question. New clause 1 states that, if the review says that something is not worth keeping, the House can consider

"a resolution to that effect . . . within ninety days of"

the regulation being removed. That would create huge difficulties for individuals and Parliament.

If there were only a 10 per cent. risk—no, let me go further—if there were a one-in-a-million chance of someone being killed, that regulation may not be laid before the House in the first place. Post facto, as my hon. Friend the Member for Wantage (Mr. Jackson) said, would Members of Parliament have the courage to say that, with a one-in-a-million chance of injury or death, the regulation was not worth keeping if the consequence of its removal was the death of 60 people in this country?

Mr. Bercow: At least part of the valid point that my hon. Friend makes is the fact that something with a benign name does not necessarily mean that it will have a benign content. Does he agree that we should take care not to confine ourselves to the discussion of manufacturing industry or high-tech business, or even of the impact of regulation on the public sector, but that we should be prepared to consider the impact of regulation on agriculture? May I tell him that regular reviews of the integrated pollution prevention controls would be warmly received by Mr. James King of Cowley farm, Preston Bisset, near Buckingham in my constituency, as a welcome, if belated, wedding present?

Mr. Fabricant: I can well imagine that Preston Bisset welcomes the very important remark that my hon. Friend makes. Incidentally, I wish Mr. King a very happy wedding in the hope that he might be watching on the Parliament channel—but that, of course, would be out of order, Madam Deputy Speaker, so I shall not pursue that line further. As well giving a plug for his constituent, my hon. Friend points out that, as the hon. Member for Eccles said, the Bill and new clause 1 would apply to many areas.

We should not underestimate the inability of new clause 1, or any of the provisions in the Bill, to deal with regulations that emanate from the House under a directive from the European Union. My hon. Friend the Member for Congleton (Mrs. Winterton) has already said that many regulations come directly from EU directives. We in the House must ask ourselves two questions. First, are we gold-plating the directives? Are we making the directives so tough that they provide an imbalance—an unlevel playing field—between this country and other EU countries? Secondly, do we enforce such directives to a greater degree than those in other EU countries, so that, yet again, we have compounded the problem of the unlevel playing field? I should like my hon. Friend the Member for South Cambridgeshire to say in winding up whether new clause 1, which Conservative Members support, would deal with that problem. Could we review legislation that is a direct consequence of EU directives? How could we seek to reverse such orders?

Mr. Geoffrey Clifton-Brown (Cotswold): My hon. Friend makes some powerful and cogent points. He is dealing with whether regulations arise from our own domestic Parliament or from Europe. I draw the attention of the House to my entry in the Register of Members' Interests. Many of the regulations relate to agriculture, which is probably the most regulated sector in the EU. Has he any evidence that the United Kingdom tends to implement such regulations quicker than any other member state? I commend the official Conservative agriculture policy, which is now only to implement European regulations at the speed of the slowest European country. Does he think that that would encourage the Commission to issue fewer regulations?

Mr. Fabricant: My hon. Friend makes a powerful point. The whole House recognises his expertise in agriculture. I do not claim to compete with him on his knowledge of agricultural affairs, even though there are

many farms in my constituency, but I can give an example that relates to agriculture—food distribution. I beg my hon. Friend the Member for Buckingham (Mr. Bercow) not to intervene and ask me to mention someone's name, but two years ago—this relates directly to new clause 1, Madam Deputy Speaker—I was with him in Boulogne, where we happened to visit a supermarket with someone else. He—not my hon. Friend—is a director of the John Lewis Partnership, which owns Waitrose. I know that I am trying your patience, Madam Deputy Speaker, but I want to make the point, which is relevant to the question that my hon. Friend asks, that he was looking at the freezer cabinets in a large supermarket, and it was very clear that they were not complying—

Madam Deputy Speaker: Order. I hope that the point that the hon. Gentleman wants to make is germane to new clause 1.

Mr. Fabricant: I am very conscious of the fact that you think it might not be germane, Madam Deputy Speaker, but it is because new clause 1 seeks to level the playing field, as, I hope, my hon. Friend the Member for South Cambridgeshire will confirm. The example of the supermarket clearly shows that France, at least, does not abide by EU regulations. Waitrose and, no doubt, other supermarkets have spent hundreds of millions of pounds in the past few years complying with British and EU regulations, whereas that is not the case at least in that large supermarket in Boulogne.

I hope that new clause 1 will consider not only whether regulations should have been introduced in the first place, but whether they are enforced more strictly in the United Kingdom than in other EU countries. That should form part of the review that is mentioned in new clause 1(1). I hope that my hon. Friend the Member for South Cambridgeshire will confirm that, when European directives are enforced in the United Kingdom, they will be examined in terms of not only their content but their application. That follows on directly from the points—some of them admirable—made by the hon. Member for Milton Keynes, North-East (Mr. White). These are the key issues.

Regulations that are not enforced will not be a burden on industry or society but, if they are concerned with the protection of the individual, they will not provide protection. Not only the content of regulations but their application need to be considered. That means considering whether they are applied not only in this country but in a similar manner in other countries.

Mr. Mark Hendrick (Preston): Has the hon. Gentleman done any research or cost-benefit analysis on the speed of implementation of European Union directives in other EU member states? Would he be willing to place that burden on civil servants in the United Kingdom?

Mr. Fabricant: The hon. Gentleman raises a very interesting point, and I am grateful to him for doing so; he is right to ask that question. I have not done that analysis, but I have read analyses produced by the British Chambers of Commerce, the Engineering Employers Federation and by many other organisations. I am sure that he has read them, too.

The hon. Gentleman asked whether it was right for the Government to have to conduct such reviews and I say, "Yes, it is right for them to do so." Remember who pays for government—the taxpayers. Taxpayers, Madam Deputy Speaker, include you, me and the businesses that pay corporation tax. If businesses cannot sustain their business because they are uncompetitive, they will not pay tax. Therefore, it is in civil servants' interests to carry out such reviews to ensure that the tax stream continues to flow and that they continue to be employed, unlike those who would be laid off if we dropped from 9th to 20th place.

Mr. Lansley: My hon. Friend might be interested to learn that, in a report produced for Politeia recently, Nicholas Boys Smith estimated the proportions of the regulatory burden on industry that derived from UK legislation and from EU legislation: half the total cost of £12.6 billion by May 2001 derives from EU legislation.

Mr. Fabricant: That is very revealing. It demonstrates that, if EU regulation were enforced in the same way in other countries and were enshrined in national law in the same way throughout the EU, the burden might be difficult, but it would be equal. Does that not demonstrate that the problem in this country is one of gold-plating and of enforcement?

You will know, Madam Deputy Speaker, of the businesses in the Lichfield area that have suffered as a direct consequence of EU regulation. Does the House believe that we are punching our weight in the European Union, given that we are the second largest contributor to EU funds? However, I shall rapidly move on from that point.

3.15 pm

In answer to the question of my hon. Friend the Member for South Cambridgeshire, I remind him that an Institute of Directors' press release has pointed out that, not only has Britain become less competitive, but that that has happened primarily because

"Britain's tax/GDP advantage has been eroded by the significant increase in the tax/GDP ratio since 1997 (from 35 per cent. in 1996/97 to 38 per cent., allowing for tax credits, in 2000/01) and"—

this is the point—

"secondly, the significant increase in labour market regulations."

It does not take a helicopter ride over Stuttgart to see the cars piled up in the Mercedes car parks or a ride over Munich to see the holding stores for BMW cars to realise how much damage regulation has done to the German markets. Sadly, as has been demonstrated by the fall in advertising receipts, that is beginning to happen in the United Kingdom.

Mrs. Ann Winterton: My hon. Friend raises an issue about competition, regulation and what is happening in some European countries—and he mentioned Germany. Is he aware that Germany is exporting its manufacturing industry because of the increased regulation that he has described? The European Union will have to tackle that issue head on if there is not be to a disaster for manufacturing throughout.

Mr. Fabricant: My hon. Friend is right, but I can see from your expression, Madam Deputy Speaker, that I should not expand on the point that she has made other

[Mr. Fabricant]

than to say that I wholeheartedly agree. The problem is found in the United Kingdom, too. We are now exporting work to Hungary and the other Visegrad countries.

Mr. Bercow: My hon. Friend's speech has been characterised by the restraint and self-effacement for which he is renowned on both sides of the House. I hope very much that he will not conclude his remarks without reminding us of the scenario that he faced as a small business man in the 1980s. Will he confirm for the record and beyond peradventure that, if he were faced with the decision as to whether to start up a broadcasting business in the context of this Government's regulatory policies, he probably would not do so and he would probably not be in the favourable position in which he now is, having sold it so that he can concentrate 100 per cent. on his duties in the House?

Mr. Fabricant: Again, I see the expression on your face, Madam Deputy Speaker, but I agree with my hon. Friend. The environment now would make it quite difficult for me to start up a business. New clause 1 would ensure that businesses can start up in the future and that those that are already established survive.

The weakness of the Bill is that it is full of good intentions, just as my right hon. Friend the Member for Henley (Mr. Heseltine) was filled with good intentions when he also tried to regulate the number of new regulations—that sounds like a contradictions in terms—being introduced in the House and imposed on business. The importance of new clause 1 is that it would lead to a review after the fifth year and, as I said in an intervention on my hon. Friend the Member for South Cambridgeshire, that is important for two reasons.

The first is that it is not always easy to anticipate the effects of a regulation when it is introduced. Secondly—this is an important point—the circumstances of a regulation in a business environment can change. Businesses in 2001 might have to operate in circumstances that are very different from the prevailing conditions in 1997. We have seen that happen time and again. I shall not repeat myself, but this country's competitiveness has fallen from fourth to ninth place.

The new clause is important because it forces the Government to act. However, it has two weaknesses. First, it is not a sunset clause. I want it to be stronger. A review is helpful, but not enough. The new clause should provide for laws to be repealed if the cost-benefit analysis finds that they are an excessive burden on business. Secondly, I am not totally satisfied that the review happens only once. My hon. Friend the Member for South Cambridgeshire did not manage to convince me about that. He conceded that circumstances in a business environment can change after five years, but they can change again after 10 and 15 years. All regulations need to be kept under constant review, but not by the mechanism espoused by the hon. Member for Eccles because it has clearly not worked.

Mr. Lansley: On the possible weakness of the new clause, the other place discussed an amendment moved by our noble Friends to disapply regulatory reform orders if, in the course of a review, they were found to impose much greater costs than the original statement implied or did not substantially deliver the benefits that were intended. I have to confess to the hon. Gentleman—

Mr. Fabricant: Oh!

Mr. Lansley: Sorry, he is very much my hon. Friend.

I have to confess that we did not think it right to do that because of the inherent complexity and difficulty associated with trying to measure and quantify costs and benefits to the extent of creating an automatic disapplication.

Mr. Fabricant: I am grateful to my hon. Friend for that explanation. When I did an economics degree all too long ago, we examined cost-benefit analyses and it is difficult to make them accurate. There is no question but that if there is "x" number of economists, there will be "x" number of results on virtually everything in a cost-benefit analysis. Perhaps that is why the Government are so keen not to accept my Bill, the Analysis of Costs and Benefits (European Union) Bill.

Madam Deputy Speaker: Order. Once again, the hon. Gentleman is wandering from the subject.

Mr. Fabricant: On that note, I shall give way.

Mr. Clifton-Brown: My hon. Friend mentions the need for regulation to change in the light of new technology. He is an expert on e-commerce. Does he agree that e-commerce and, in particular, the rolling out of the broad band, will change radically the way in which many businesses operate? It will be necessary to review a range of trade and financial regulations. Hence the need for new clause 1 to keep regulations under constant review.

Mr. Fabricant: My hon. Friend makes a salient point. There are many examples of the problem, but I shall give just one. Telephony companies know that simple narrow band technology enables people to make telephone calls all around the world using internet systems for the price of a local call. They do not need broad band technology to do that. Telephony companies anywhere in the world, such as AT&T Communications and British Telecom, know that their days are numbered for charging premium rates for long-distance and international calls.

New clause 1 would enable us to review the regulations that established Oftel when British Telecom was privatised and the telephony companies were freed up. However, as my hon. Friend says, circumstances have changed and they will change again in five years. You can bet your bottom dollar—or, regrettably in 10 years' time, your bottom euro—that circumstances will continue to change. It is not simply the rate of technological change that is relevant; the way in which companies undertake business will also change.

I shall confess to you, Madam Deputy Speaker, that I am a great admirer of Margaret Thatcher and was a Thatcherite in the 1980s, but what was right then is not right now. Economies move on and circumstances change. I have no doubt that I would have been a member of the Labour party—old Labour—had I been in politics in 1900, but things change. As economic circumstances change—often driven by technological changes—so the

effect of a regulation on a business changes. A cost-benefit analysis might not have a positive flow in five years' time and, as I said to my hon. Friend the Member for South Cambridgeshire, that will change again in 10, 15 or 20 years.

Mr. Bercow: I understand my hon. Friend's revisionism, and far be it from me to chide him for it. However, does he agree that it is important not to misrepresent—even if only inadvertently—the stance of one of our most distinguished noble Friends? To avoid doubt, does he agree that our right hon. and noble Friend Baroness Thatcher of Kesteven is an enthusiast for new clause 1?

Mr. Fabricant: Yes.

I have probably spoken for long enough. The Bill is excellent, but toothless. The new clause would give it some teeth. If the Government oppose it, that will demonstrate that they merely have good intentions—as did the previous Government—to control the amount of regulation. It will show yet again that they are all about spin with no delivery.

Mrs. Ann Winterton: I want to make a brief contribution to this excellent debate. Like my hon. Friend the Member for Wantage (Mr. Jackson), I, too, did not have the benefit of serving on the Committee and it has been interesting to listen to the arguments made by hon. Members on both sides of the House.

I want to respond to the hon. Member for Eccles (Mr. Stewart). I like him enormously; he is a good guy—no doubt I have now blighted his career. However, he chided the Opposition for concentrating too much on the business aspects of regulation. In an intervention I tried to point out that regulation affects every aspect of our lives, and I gave one or two examples. However, I hope that the hon. Gentleman and others will forgive me if I concentrate my remarks on the business aspect of regulation and the part that new clause 1 can play in ensuring that regulation is reviewed and, if possible, removed to assist business.

3.30 pm

My whole background is in small business. My father worked down the pits in County Durham, came south during the depression and worked in Birmingham. Eventually, after the war, he founded his own very small company at spaghetti junction with two partners. My young life, at weekends anyway, was spent going into "the works", as we said. It is perhaps that background that leads me to reflect on the fact that my constituents and organisations that represent businesses tell me that they are overburdened with regulation of one sort or another. I know that the point has been made several times during the debate, but I am reflecting it from my own particular experience.

The previous Government and this Government have made efforts to restrict the amount of regulation. I admit that the previous Government's attempts were not overly successful, if they were successful at all. I have no doubt that Members in this place and the other place work extremely hard on the Deregulation Committee. However, industry and business—small, medium and large—have not seen the benefits of the Committee's labours; they have not seen effective, helpful deregulation.

Mr. Lansley: My hon. Friend is kind to the members of the Deregulation Committee when she points out how hard they work, and I have no doubt that they do their job most conscientiously. However, she will no doubt want to know that whereas before the last general election, the Committee received a substantial number of deregulation and contracting-out orders, that number has since dwindled away to virtually nothing. The Committee will have to gear itself up if it is to make a substantial number of regulatory reform orders in future.

Mrs. Winterton: I hope that my hon. Friend knows me well and indeed I hope that I am a kind person. I believe in saying nice things about people whenever I can find something nice to say. However, I said in my next breath that although the Committee's work was to be commended, it had not been very effective. My hon. Friend has pointed out precisely how ineffective it has become of late. I trust that the Bill, including new clause 1, which naturally I hope the Government will support, will contribute towards reducing regulation.

Mr. Ian Stewart *rose—*

Mrs. Winterton: I give way with great pleasure to that nice, kind man, the hon. Member for Eccles.

Mr. Stewart: Calm down. Does the hon. Lady agree that the effectiveness of a particular Committee is determined by its work, not its work load?

Mrs. Winterton: The hon. Gentleman makes an interesting point. I am inclined to view the Committee's work as business views it, and to ask whether business feels the good effects of its work, so I might not judge the work of that Committee, of which he is a member, from the same point of view as him.

Mr. Fabricant: The hon. Member for Eccles (Mr. Stewart) made an interesting and philosophical intervention, but does my hon. Friend agree that work and work load are intimately linked? If a Committee is overburdened, it might not be able to produce any good work or, for that matter, bad work simply because the system will become blocked.

Mrs. Winterton: My hon. Friend is absolutely right, and he brings me neatly to my next point, which was made earlier in the debate. As he said, if a Committee is overworked, its output will be affected. The over-regulation of business takes up the time of the Executive, costs money and adversely affects companies' output, which affects their profits, which go back into investment. I believe that the hon. Member for Eccles pointed out earlier how important investment is. He will know that cash flow is equally important for small businesses.

Mr. Bercow: Like my hon. Friend the Member for Lichfield (Mr. Fabricant), my hon. Friend has been rather kind to the hon. Member for Eccles (Mr. Stewart). Does she agree, however, that no man should judge in his own cause,

[Mr. Bercow]

so the hon. Gentleman's rather feeble self-justificatory efforts should be treated with due circumspection? Does she accept that the Deregulation Committee now does too little work because it is too little interested in the responsibilities with which it has been charged? Frankly, a majority of the members of the Deregulation Committee do not believe in deregulation.

Mrs. Winterton: My hon. Friend makes a good point, and overall I agree with him. The focus that Baroness Thatcher placed on deregulation when she came into government has been lost over the years.

Returning to new clause 1, it is encouraging that many organisations that represent business men support the idea of a sunset clause. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) has tried to interpret and refine that concept into a power of review after five years, which is the essence of new clause 1.

I note that the British Chambers of Commerce, which recently published its manifesto, is very much in favour of the loose description of the sunset clause. The manifesto broadly states that the first priority should be simplification of the tax system, and there is a hell of a regulatory burden in that. The organisation believes that business compliance costs should be considerably reduced and that there should be regulation only when it is absolutely necessary. I should have thought that the first question that should be asked by any Government who are about to introduce regulation is whether it is absolutely necessary. The British Chambers of Commerce believes that when regulation is necessary, the lightest of touches should be used. I agree with the hon. Member for Eccles that regulation is needed in some cases, but it must be good regulation, it must be properly considered and it must not be onerous. It must fulfil the purpose and no more.

As I pointed out earlier, the British Chambers of Commerce believes that we need fully to engage with the European Union to ensure that it promotes business competitiveness. If that happens, it will take a long time. I am 60 and my mother is 91, so I hope that the EU will consider business competitiveness as a matter of urgency, rather than letting Europe become more and more uncompetitive compared with the rest of the world.

Mr. Fabricant: If when I am 60 I have a complexion like my hon. Friend's, I shall be a very happy man. Does she agree with me and, more important, with the Institute of Directors, which shares my belief, that the review mentioned in new clause 1 should not be a one-off event? In its submission, the IOD states that we should

"Introduce a programme of reviewing the regulations that affect individual sectors on a regular, rolling basis."

Does she agree that what is important—as the Prime Minister would say—is that because circumstances change regularly and nothing remains constant over time, reviews are needed, not as one-offs, but continuously and for as long as the regulation exists?

Mrs. Winterton: The IOD is most enthusiastic about the concept of rolling reviews, but I believe that if we take the first step set out in new clause 1 and implement a review after five years, that will bring in its wake a beneficial effect on regulation. I hope that my hon. Friend will forgive me, I prefer to leave matters as they are in new clause 1 and not to pursue that course any further.

Mr. Anthony Steen (Totnes): I usually agree with my hon. Friend the Member for Lichfield (Mr. Fabricant), who is a man of great charisma and intelligence, but I believe that in this case he is wrong. Before my hon. Friend the Member for Congleton (Mrs. Winterton) leaves that point, will she reflect on the fact that a review is needed only if there is a regulation, and that if there were no regulation in the first place, no review would be needed? The whole problem is that one needs sunset clauses to get rid of regulations only if there are too many of them. Does she agree that the purpose of new clause 1 is not to act as a sunset clause, but to ensure that we do not have so many regulations that we have to get rid of them?

Mrs. Winterton: My hon. Friend makes a strong case and I am sure that many hon. Members will agree with him. I have tried to say that what everyone—including the British Chambers of Commerce, the Institute of Directors, the Federation of Small Businesses and the Forum of Private Business—wants, rightly and properly, is less regulation to be introduced. My views and those of my hon. Friend marry well together.

Mr. Steen: As usual, my hon. Friend has encapsulated in a few seconds what many of us have taken hours to say. Is not the point that this country is burdened by too much bureaucracy and regulation? Is it not amazing that while Opposition Members talk about trying to reduce the amount of bureaucracy, the Government are introducing a Bill that will extend—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Let us get back to the new clause.

Mrs. Winterton: Mr. Deputy Speaker, I shall say only that my hon. Friend the Member for Totnes (Mr. Steen) has made his point in his own inimitable fashion.

Mr. Clifton-Brown: My hon. Friend has made a point that I have heard few make previously, which is that if the EU makes too many regulations, it will, as a trading block, become uncompetitive with the rest of the world—

Mr. Deputy Speaker: Order. That has absolutely nothing to do with new clause 1.

3.45 pm

Mrs. Winterton: Thank you, Mr. Deputy Speaker.

Other hon. Members have touched on the important subject of agriculture. We all know the circumstances currently prevailing in the countryside, but my local farmers have been telling me for years that they have imposed on them regulation after regulation—most, if not all, of which originate in the EU, I hasten to add, but which are frequently gold-plated by the United Kingdom Government for the simple reason that we in this country have an ethos and custom of obeying regulation.

Mr. Hendrick *indicated dissent.*

Mrs. Winterton: The hon. Gentleman disagrees, but he has obviously not travelled far on the European

continent, as I did during my years as a member of the Select Committee on Agriculture. Had he done so, he would have seen that the amount of regulation that is implemented in other EU countries is quite minimal compared to the United Kingdom.

Mr. Hendrick: I speak as one who has served as a Member of the European Parliament, visited all 15 EU member states and legislated in Europe. That we obey European legislation and other countries do not is a myth that is constantly peddled by the Opposition.

Mrs. Winterton: I have to tell the hon. Gentleman that I consider him to be part of the problem. If he swans around Europe with his eyes closed, he will come to the House and make such ridiculous statements. Perhaps he should speak to representatives of small, medium-sized and large business and to farmers and hear what they have to say. I assure him that the views that they would express would not chime with his.

Mr. Hendrick *rose—*

Mrs. Winterton: I shall be delighted to give way again to the hon. Gentleman—

Mr. Deputy Speaker: Order. Not if the purpose is to have a European debate.

Mrs. Winterton: We shall abide by your judgment, Mr. Deputy Speaker. We live to fight another day and in another arena.

Mr. Steen: I am sure that you, Mr. Deputy Speaker, will not rule me out of order. It is my hon. Friend's submission that the concept embodied in new clause 1 is that, with the effluxion of time, legislation will wane and ultimately die. Is that a process that she would want to be applied to European rules and regulations that have been passed by the House?

Mr. Deputy Speaker: Order. I really do not know how the hon. Member for Congleton (Mrs. Winterton) managed until the arrival of the hon. Member for Totnes (Mr. Steen), but I congratulate him on having at last focused on the right target.

Mrs. Winterton: Thank you, Mr. Deputy Speaker.

I favour new clause 1 because, as I see it, it will strengthen the Bill, go some way to tackle the amount of regulation that has been discussed, and exert downward pressure on the amount of regulation that remains on the books. It would provide a good mechanism—one that might not be perfect, but which will strengthen the Bill. I shall now rest my laurels on my case. I hope that the Minister will take on board the comments made today and that he will indicate that the Government intend to accept new clause 1.

Mr. Clifton-Brown: The need for the new clause becomes stronger all the time because of the accelerating tendency in the Government to pass primary legislation that allows for secondary legislation to be made by order. To my mind, that is an unwelcome trend, which betrays a certain sloppiness of thought when Ministers introduce legislation. I think that that is the root of many of our problems.

Mr. Steen: Is not my hon. Friend really saying that the whole concept of the Bill and the reason why we proposed the new clause are to prevent a system whereby the Chamber is bypassed by secondary legislation, which would extend law-making powers by extending existing rules and regulations and running them parallel to new laws passed by the Chamber?

Mr. Clifton-Brown: My hon. Friend has far more experience in this field than I do—although I draw the House's attention to my entry in the Register of Members' Interests. I have many years' experience in business and have suffered the imposition of regulations—many of which were unnecessary—by successive Governments. I think that the new clause is especially relevant and that my hon. Friend is right.

If there were greater precision in our legislative process, the need for secondary legislation would not be so great. That precision has been considerably blunted by the Government's tendency increasingly to rush legislation through the House without proper debate. That has been accelerated by the increasing use of Henry VIII clauses—hence the need for new clause 1. To my mind the use of such clauses is even more reprehensible than the ordinary use of secondary legislation, as they permit the alteration of primary legislation by secondary legislation without reference to the House. New clause 1, which deals with reviewing all that regulation, is therefore particularly important.

I hope that the House will accept that I have a pedigree on the subject. Several years ago, under the excellent auspices of the Industry and Parliament Trust, I was at a lunch at which I sat next to some senior Boots executives, who asked me about the role of a Member of Parliament. I said that a Member's role is to pass legislation only in extremis and, furthermore, to repeal a lot of existing legislation. The new clause will be beneficial as it will force Ministers and civil servants to look at all our legislation, particularly secondary legislation, to see whether it is still necessary or relevant.

Mr. Bercow: May I encapsulate my hon. Friend's argument in a slightly different form? In reflecting on the merits of new clause 1 and the proposed review mechanisms, does he agree that Opposition Members are guided by the philosophy enunciated by our noble Friend Lord Lawson of Blaby—to wit, that the business of government is not the government of business?

Mr. Clifton-Brown: I agree entirely. One reason for the fall of the Roman empire is simply that it was shackled by bureaucracy. Had it had regulations such as those proposed in new clause 1, it would have had to review all its legislation and perhaps it would have continued a great deal longer.

Mr. White *rose—*

Mr. Clifton-Brown: I do not really want to go too far down that path. If the hon. Gentleman's remarks are relevant to the 21st century, I shall happily give way. If they pertain to the Roman empire, I will not. Which is it?

Mr. White: I am curious. The hon. Gentleman is talking about new clause 1; it relates to the Bill, which deals with the removal and reduction of burdens. However, his argument relates to regulations in general. How will his proposals and those of his hon. Friends tackle regulations under the Bill, not the generality of regulations?

Mr. Clifton-Brown: If the hon. Gentleman will be patient and allow me to develop my argument, I shall come on to that precise area. I shall therefore answer his question in a little while.

We need to look at the culture of regulation, which stems from the increasing tendency to blame and litigate that emanates from America. We seem to need a regulation to try to cover every aspect of every conceivable thing that could go wrong, instead of leaving it to individuals to make sensible decisions—those individuals are hammered heavily when they transgress general and basic rules—which is a better way to go about our legislative process. I also commend the idea of self-regulation, which can work particularly well for businesses and does not always need the Government regulations that would be reviewed by new clause 1. There could be more self-regulation, for example, in relation to lifts and hoists regulations. That may seem obscure, but it would make businesses regulate themselves.

Mr. Deputy Speaker: Order. I need to underline a point that has already been made to the hon. Gentleman in an intervention. New clause 1 relates specifically to clause 1 of the Bill, so it is not in order for him to go wider than that.

Mr. Clifton-Brown: Indeed not, Mr. Deputy Speaker. Briefly, if we did not have regulations in the first place, new clause 1 would not bite and we would not need to pass the Bill. Before moving on, may I cite, in half a sentence, the lifts and hoists regulations, which, by insurance, allow businesses to regulate themselves, so government does not need to interfere in regulations on maintaining lifts and hoists. I commend that principle to the House.

New clause 1 also bites on the proportionality of regulation, and tackles the issue of regulation going beyond what is necessary to deal with the problem. That is often the case because, rightly, we have a culture of honesty in this country and tend to gild the lily when introducing European and domestic legislation. If, as I said, we left it to individuals to make up their own minds, we would get on a great deal better.

Mr. Deputy Speaker: I am sorry to interrupt the hon. Gentleman again, but I have already ruled on the matter to which he is now alluding. I must remind him to look at the Bill and remember that new clause 1 relates to clause 1 of the Bill and nothing else.

Mr. Clifton-Brown: I am grateful, Mr. Deputy Speaker. However, clause 1 refers to order-making powers and new clause 1 refers to the need to review those powers. A major proportion of those orders come from Europe, so it is difficult to have a debate on reviewing orders if we cannot discuss the mechanisms of the origins of those orders.

Mr. Deputy Speaker: Order. I shall try to offer the hon. Gentleman guidance. The powers that are being sought in the Bill are ostensibly to reduce regulations. New clause 1 is directed at a qualification or limitation of that. That is all that the hon. Gentleman may allude to.

Mr. Lansley: On a point of order, Mr. Deputy Speaker. May I ask for further clarification to help my hon. Friends and me? Regulatory reform orders are designed to reform legislation, including reimposing or creating new burdens in circumstances in which Ministers believe that that strikes a fair balance between the public interest and other benefits. Opposition Members believe that new clause 1 would require review of regulations in circumstances in which additional burdens are created.

Mr. Deputy Speaker: Order. I was merely trying to advise the hon. Member for Cotswold (Mr. Clifton-Brown) that he has to tie his remarks on the new clause to the clause in the Bill to which it refers. That is the sole point that I am trying to establish. It seems that he—and, on one or two occasions, other hon. Members—have tried to make a more general point than is allowed.

Mr. Steen: Further to the point of order, Mr. Deputy Speaker. As I understand it, clause 1 is not about reducing regulations, as was said by the Chair, but about increasing them. Strangely enough, although the Bill is supposed to reduce the number of laws in this country, it will have exactly the opposite effect.

Mr. Deputy Speaker: Order. That is not a point of order for the Chair, but a matter of debate. The House can go only by what is said in the text of the Bill, to which I was referring. Of course, the new clause also relates to that text. That is what the debate should be about.

Mr. Clifton-Brown: I am a little clearer, but I am not totally clear. Clause 1 states:

> "Subject to subsections (3) to (5) and sections 3 to 8, a Minister of the Crown may by order make provision for the purpose of reforming legislation".

The new clause states:

> "Every order made under section 1 shall include a provision for the Minister to present a report on the operation of the order in the fifth year".

As a lot of directives and regulations from Europe are, to my mind, covered by clause 1 and new clause 1, it is difficult to discuss the amendment without discussing the vast bulk of our order-making powers, more than half of which come from the European Union. If one cannot discuss the mechanisms by which they come from the EU, it is very difficult to have any debate at all about new clause 1.

Mr. Fabricant: Does my hon. Friend agree that the hon. Member for Eccles (Mr. Stewart) presented a compelling argument by saying that it was important to consider both the content of regulations under new clause 1 and the way in which they are implemented in the United Kingdom compared, by inference, with other countries?

Mr. Clifton-Brown: I am grateful to my hon. Friend, who made that cogent and powerful point in his speech. It is a secondary point. The first point is how the regulation is framed, whether it be from the domestic Parliament or from Europe and whether it is

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all-encompassing or not. I would prefer regulations to be more general and, when individuals transgress them inadvertently or stupidly, the power of the courts, including the European courts, should be brought down on their heads. Regulations are implemented by the French, Germans and other European countries in a more general way. We tend to implement them in a more specific way.

The second point is that if regulations are framed in such a way as to be specific, and we enforce them to the letter, we are doubly gilding the lily, in respect of both domestic and European legislation. My hon. Friend the Member for Lichfield (Mr. Fabricant) is right.

4 pm

Mr. Steen: My hon. Friend makes an interesting point. If we are speaking about reviewing sunset clauses, which is the purpose of the new clause, how does my hon. Friend believe that we will accomplish that, bearing in mind the fact that more than 50 per cent. of regulations come from Europe? Can we do what we want to do under the new clause if 50 per cent. of the rules and regulations are outside our powers?

Mr. Deputy Speaker: Order. I must try to redefine the debate. The terms of new clause 1 relate to regulations that might be created under clause 1 of the Bill, not to the generality of regulations that may exist. I am anxious that the hon. Member for Cotswold (Mr. Clifton-Brown) and other hon. Members should confine their remarks to that.

Mr. Bercow: On a point of order, Mr. Deputy Speaker. I seek further clarification, as this is the kernel of our debate this afternoon. May I take it that although it would not be legitimate to dilate upon them, it is in order to animadvert to past directives and regulations which are on the statute book and which affect people in businesses in this country, as justification in the development of the argument for the review mechanism that we commend to the House in new clause 1?

Mr. Deputy Speaker: To animadvert is possible, and in the course of two or more hours, the occasional animadversion might be permissible, but excessive animadversion would be out of order. I hope that that is clear.

Mr. Clifton-Brown: Animadversion or not, the gravamen of the point of order of my hon. Friend the Member for Buckingham (Mr. Bercow) is a useful adjunct to the debate.

The new clause is necessary because there should be a certain discipline among Ministers and civil servants. When they introduce a regulation under primary legislation, they should consider whether the regulation needs to be permanent, or whether it deals with a temporary problem that will pass as a result of new technologies.

Mr. Steen: We are on to an important point, and I would not like my hon. Friend to leave it without further consideration. Many of the rules and regulations coming out of the House apply to social services, supplementary benefits and so on. They must constantly be repealed and replaced. Under the new clause, they would, through the passage of time, end without the need for further legislation.

Mr. White: On a point of order, Mr. Deputy Speaker. Is the hon. Member for Totnes (Mr. Steen) trying to make up for the fact that he missed the Deregulation Committee and the Standing Committee?

Mr. Deputy Speaker: Order. The hon. Member for Milton Keynes, North-East (Mr. White) knows that that is a point for debate, not a point of order.—

Mr. Ian Stewart: It is a point of fact.

Mr. Deputy Speaker: Order. I have tolerated quite sufficient in the way of sedentary comments from the hon. Member for Eccles (Mr. Stewart). I hope that he will now maintain a decorous silence.

Mr. Steen: On a point of order, Mr. Deputy Speaker. As a matter of fact, the hon. Member for Eccles—

Mr. Deputy Speaker: Order. The hon. Member for Totnes (Mr. Steen) would be better advised to leave me to decide on rules of order.

Mr. Clifton-Brown: I had intended to make a five-minute speech, but I have been speaking for almost a quarter of an hour. I shall try to keep my remarks concise and in order, for which I am sure you would commend me, Mr. Deputy Speaker.

My hon. Friend the Member for Totnes (Mr. Steen) brings me to my next point, which concerns the culture among civil servants and Ministers with regard to the making of orders. The new clause will cause them to consider whether the orders that they propose to introduce are of a long-term or a short-term nature. Including a sunset clause in a regulation introduced under clause 1 will make everyone think hard whether the order needs to be introduced in the first place, and whether it should be reviewed and revoked after five years.

My hon. Friend the Member for Totnes cites the example of social security legislation. The other area in which orders are continually made and remade is criminal justice legislation. We seem to have a criminal justice Bill in the House almost every year, and certainly every other year, and many such Bills contain order-making powers. The House is often required to alter what it has done in the past, by amending primary legislation.

If everyone who introduces legislation would think more carefully about it before they introduced it, which would be the impact of new clause 1, it would do us all a huge favour. Who knows?—perhaps we would not need to sit so many days in Parliament, because we would introduce fewer regulations, have fewer Committees considering statutory instruments, and fewer debates on the Floor of the House. That would be a good day for everyone.

Secondary legislation is introduced upstairs, sometimes by way of affirmative procedure and sometimes by way of negative procedure. There seems no good reason why a particular set of regulations should be introduced under the affirmative or the negative procedure. By ensuring that

[Mr. Clifton-Brown]

the regulations were reviewed, the new clause would require Ministers to make it clear why it was necessary to introduce them under the negative procedure.

As you know from your many years in the House, Mr. Deputy Speaker, it is much more difficult to overturn secondary legislation made by negative resolution. Secondary legislation made by affirmative resolution can be debated and amendments can be tabled, whereas that is not the case under the negative resolution procedure. Under the latter, it is not possible to introduce amendments; it is simply a matter of voting for or against the statutory instrument in question.

When the Government have as large a majority as the present Government have, the new clause becomes even more important. It prevents an overbearing Executive from introducing regulations that subsequently turn out to be faulty. Democracy is about trying to introduce better legislation and better regulations.

Mr. Fabricant: I am grateful to my hon. Friend for giving way again. He heard our hon. Friend the Member for South Cambridgeshire (Mr. Lansley) speak about the need for a cost-benefit analysis to be undertaken as part of the review of regulations. Does my hon. Friend share my concern that so many statutory instruments effectively give the Secretary of State a blank cheque to impose levels of fines, and to increase or decrease the power of a regulation, thus making a cost-benefit analysis so much more difficult, precisely because of the imprecision of the statutory instruments?

Mr. Clifton-Brown: My hon. Friend is right. I always thought that it was enshrined in legislation, but perhaps it was merely a convention of the House, that when a Bill—primary legislation—was introduced, its cost implications had to be stated. That is rarely the case with orders—statutory instruments that we discuss upstairs. Almost always, the Opposition of the day have to probe the Government about the cost implications. That is where the gravamen of the new clause lies. If people have to decide whether an order should remain in place five years after it was introduced, circumstances may have changed considerably, and they will have to think in terms not only of risk assessment, but of cost-benefit analysis.

Mr. Bercow: My hon. Friend reminds me of a further reason and justification for our insistence on the new clause. He rightly referred to statutory instrument Committees. Will he confirm, drawing on his personal experience as a member of the Opposition Whips Office, that it is becoming increasingly common in Standing Committees on delegated legislation for the Minister winding up the 90-minute debate deliberately and calculatedly to refrain from answering the questions asked by the principal Opposition Front-Bench spokesman, and simply and limply to say, "I will write to the hon. Gentleman, but will he approve the measure in the meantime?"

Mr. Deputy Speaker: Order. That has nothing to do with new clause 1, either.

Mr. Clifton-Brown: One of the reasons why the new clause is necessary is the need for a cost-benefit analysis. It is often difficult to obtain from any Government source information about the cost of a particular measure. The new clause would require a report to be prepared at the end of five years, and I hope that that report would include a cost-benefit analysis. If it does not, I do not see how a proper assessment can be made about whether an order should remain in force.

Although cost-benefit analyses have an important role, an even bigger part is played by risk analysis. Orders and regulations are often introduced to try to prevent a particular disaster or risk. A risk analysis is, therefore, important to us as legislators and also to the public, who will want to see that we are introducing good legislation. Politicians are often not very good at putting orders in perspective. BSE is a good example. The previous Government were criticised for not implementing properly the regulations that the Labour Government drafted in 1979. However, we were implementing the regulations in accordance with the best scientific evidence that was available at the time. Scientific evidence often has to be interpreted on a risk-analysis basis. A human has less chance of catching Creutzfeldt-Jakob disease from a cow with BSE than he has of being killed by lightning.

Perhaps regulations should more often be reviewed on the basis of risk analysis. To put such analysis in context, politicians must often distil difficult and complex arguments into relatively simple concepts, so that the public can understand what we are doing. If the public do not understand what regulations seek to achieve, but are suddenly inadvertently caught out by them, we will, in my terms, have introduced bad regulations. Those are precisely the regulations that should be dealt with by the new clause.

Mr. Lansley: I draw my hon. Friend's attention to the fact that the new clause would require a review to be made in relation to the statement required by clause 6. It would, therefore, cover a post facto review of costs and benefits. He makes an important point, as clause 6 does not require any risk assessment to be made in relation to regulatory reform orders. Interestingly, however, one of the five consultation papers issued in anticipation of provisions in respect of the letting of business premises under section 57 of the Landlord and Tenant Act 1954 includes a risk assessment, although that requirement is not set out in the Bill and the other four consultation papers do not refer to it.

4.15 pm

Mr. Clifton-Brown: I am grateful to my hon. Friend, who has a great deal of experience in these matters, for raising that issue. His comments reinforce the points that I am making. Not only do we need to include a risk analysis in the quinquennial review, but we need to ensure that it is presented in terms that ordinary members of the public can understand. It seems to me that regulations are often drafted in such convoluted terms that it is difficult for anybody except a lawyer to interpret their precise meaning. That is another reason why we need the new clause. The regulations should be drafted in terms that ensure that they are effective. If they are seen not to be effective, that is a very good reason why they should be reviewed after five years.

Mr. Bercow *rose—*

Mr. James Gray (North Wiltshire) *rose—*

Mr. Clifton-Brown: I shall give way first to my hon. Friend the Member for Buckingham, and then to my hon. Friend the Member for North Wiltshire.

Mr. Bercow: For the avoidance of doubt, will my hon. Friend confirm that one of the main merits of the periodic review, which will occur at five-year intervals, is not only that we can reconsider the policy content of the measure in question, but that we will have the opportunity, to paraphrase the late, great Sir Winston Churchill, to delete language up with which we should not be obliged to put?

Mr. Clifton-Brown: My hon. Friend is absolutely right. I think that it was George Bernard Shaw who said that genius is simplicity and that any fool can make things complicated. If we, as legislators, bore that maxim in mind more often, we might produce better legislation. For example, as the tax rewrite Committee parallels the Select Committee on Deregulation, could not that principle be applied more broadly to regulations? One of the factors that should be borne in mind in respect of the quinquennial report is whether the regulation is effective in terms of being regularly understood and sensibly drafted. If we can ensure such effectiveness, we will all be doing a better job.

Mr. Gray: I have been following my hon. Friend's comments with great care. He makes a strong point, but I fear that he cited a poor example by speaking about BSE and the CJD deaths. If the new clause were implemented, the regulation in question would be subject to five-year review. However, many of the tens of thousands of regulations that are in place today, many "up with which we shall not put", affect only minute areas of life and could be left out of the statute book altogether. Should it not be those regulations that fall at the end of the five-year review, rather than those that affect catastrophically important matters?

Mr. Clifton-Brown: If I may say so, my hon. Friend makes a different point. My first point was that scientific evidence and technology move on. We live in a world in which change is occurring at an increasing pace. I intervened on my hon. Friend the Member for Lichfield to speak about e-commerce—a theme that I want to develop in a moment. My hon. Friend the Member for North Wiltshire (Mr. Gray) makes a different point. The fact that we seem to make regulations that affect every aspect of people's lives is important. People's morals, attitudes and life styles can change enormously in five years. Thus what is appropriate now might not be seen to be appropriate in five years' time. That is an especially good reason for introducing the new clause.

Finally, I should like to speak about technological change. I intervened on my hon. Friend the Member for Lichfield to speak about e-commerce. I believe that, in respect of a raft of financial and trade legislation, e-commerce will rapidly change the way in which we do business. The movement around the world of electronic information and hundreds of millions—or even billions—of pounds at the touch of a button will produce a need for regulatory authorities to be very much quicker on their feet. They will have to think much more quickly about existing regulations and whether they need to be changed. That, too, makes the case for new clause 1. Nowadays, a transaction can take place in one country and be electronically billed in one currency to a second country with a different currency; it can then be settled in a third country and delivered in a fourth country. That makes regulation difficult. Our patterns of trade are changing, and that makes the need for a quinquennial review even greater.

A culture of blame and litigation is growing in this country; that unfortunate trend stems from the United States of America. We should resist it. The Bill goes a long way, but not all the way, towards that. It would be greatly improved by new clause 1, and I hope that the Minister will provide a cogent and detailed response.

Mr. Bercow: It is a delight even at this late stage to contribute to the debate. I shall begin by placing my remarks in context. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) opened the debate with skill and reason. He was followed in characteristically thoughtful fashion by my hon. Friend the Member for Wantage (Mr. Jackson), who is sadly no longer in his place. He was a distinguished member of the previous Government, and he reminded us of their approach to such matters. His speech was followed by a powerful oration from my hon. Friend the Member for Lichfield (Mr. Fabricant), who was duly succeeded by my hon. Friend the Member for Congleton (Mrs. Winterton).

I shall not indulge in any personal asides that would cause your brow to furrow, Mr. Deputy Speaker. Suffice it to say that, passionate opponent of regulation though I am, I do not object to being frequently regulated—the regulation is periodically reviewed—by my hon. Friend the Member for Congleton. She made the case in a formidable fashion, as did my hon. Friend the Member for Cotswold (Mr. Clifton-Brown).

I regret the tone of Labour Members' speeches. The hon. Member for Eccles (Mr. Stewart) knows that I hold him in considerable affection and esteem, but there was much belated and retrospective special pleading from Labour Members. They did not focus on the justice of the case and the sequence of historical events that led to the growing clamour for a review mechanism as proposed in new clause 1. They appeared to wish to dam it simply by referring to the work of the Deregulation Committee. However, that Committee's perceived feebleness, inadequacy and comatose deliberations partly led to the current troubling position. That is why my hon. Friend the Member for South Cambridgeshire proposed new clause 1, about which I have much to say. Before I do that, I give way to my senior colleague.

Mr. Steen: As a member of the comatose Deregulation Committee, I agree with my hon. Friend's epithets whole-heartedly. I am sure that he realises that the reason for our new clauses is well illustrated by the Committee's behaviour. Only one regulation has been repealed this year, and only one last year. Yet more than 2,500 new regulations were introduced by statutory instrument this year. Our case is made.

Mr. Bercow: My hon. Friend makes a pertinent point with which I agree. I am getting old and my memory is not what it was, but I cannot recall whether he was present for Scottish questions earlier this week.

Mr. Steen: I was not.

Mr. Bercow: I am sure that my hon. Friend had pressing business elsewhere. However, had he been present, he would have heard a brief exchange between the Secretary of State for Scotland and me. That exchange was not carried on all the news bulletins, but it was significant because I argued that the massive increase in regulation justified a review mechanism and a reconsideration of the wholly inadequate approach that the Government have adopted thus far. By contrast, the right hon. Lady, who oozed smug complacency—I apologise for the serious understatement of which I am guilty—believed that the Government's record was fine, that we had nothing of which to complain, and that business was queueing up to congratulate the Government on the merits of their policies. That is not the case, as my hon. Friend the Member for Totnes (Mr. Steen), who has a long-standing background in small business, knows well.

Mr. Deputy Speaker: Order. May I ask the hon. Member for Buckingham (Mr. Bercow), who has not been in the House as long as the hon. Member for Totnes (Mr. Steen), not to be lured by his wiles into moving away from new clause 1, which is the focus of the debate and specifically relates to the regulations in clause 1?

Mr. Bercow: I shall not be lured by the wiles of any hon. Member, with the possible exception of my hon. Friend the Member for Congleton. However, for the avoidance of doubt, I stress that I am always and unfailingly constrained and guided by the wisdom that you generously volunteer in a paternal fashion towards me, Mr. Deputy Speaker. I worry about your furrowed brow, so I shall not test your patience with a lengthy dilation on the philosophical background to the case for new clause 1.

My hon. Friend the Member for South Cambridgeshire, brilliant though he is, is known for a certain restraint, self-effacement and reluctance loudly to speak up for his point of view or his record. I therefore hope that he will not mind if I do it for him. He has a strong background in such matters, not least through his experiences as deputy director general of the British Chambers of Commerce. He was a distinguished occupant of that post. He knows that the authentic voices of British business genuinely desire deregulation and review of the existing encumbrance of regulation, which damages our companies. I shall consider that important subject later, but my hon. Friend the Member for Lichfield referred, not entirely accurately, to the stance of my noble Friend Baroness Thatcher of Kesteven, and I wish to explain briefly that the Opposition have three guiding lights or mentors on new clause 1.

No debate on regulation, deregulation, enterprise or the development of entrepreneurial potential would be complete without reference to Dr. Ludwig Erhard, the post-war Chancellor of Germany. He first devised the idea of a deregulatory mechanism and the need to apply it across the board to administrative imposts and burdens, which crushed small businesses. He argued that there should be an on-going review of the burden of regulation on companies in his country.

Mr. Clifton-Brown: My hon. Friend makes the point that new clause 1 will apply prospectively to all new regulations. Most legislation is prospective. On the Erhard principle, does he believe that the new clause should also be retrospective and apply to all existing regulations?

Mr. Bercow: I certainly do. I am glad that my hon. Friend and I have a symbiotic relationship. He correctly anticipates a point on which I intend to dilate. There is good reason to do that, simply in the terms that the late Dr. Erhard articulated. I do not want to take his name in vain because he is not a Member of Parliament; he is sadly no longer with us and therefore in no position to speak for himself. However, it is legitimate to refer to the historical record. As a student of history, my hon. Friend will know that Dr. Erhard talked of the urgent need for "a bonfire of controls". He will know also, as you will testify, Mr. Deputy Speaker, with the full majesty and authority of the Chair, that it is difficult—indeed, thus far I think that it would have been considered impossible—to apply a bonfire to things that do not yet exist. It is eminently impossible, of course, to apply a bonfire to things that exist but of which one wishes to be rid.

I agree with my hon. Friend, and I would like to argue—I have taken note of your earlier strictures, Mr. Deputy Speaker—that new clause 1, relating as it does to regulatory reform orders and the review thereof, has the potential to apply to a number of the burdens that are now on the statute book and that are costing British businesses dearly, of which more anon. My hon. Friend the Member for Totnes is becoming itchy.

4.30 pm

Mr. Deputy Speaker: Order. We are dealing with new clause 1. We are not having a stand part debate. The hon. Gentleman's remarks must be directed to the new clause. The debate has continued for almost three hours, and there is a danger that repetition will creep in. My ear will be ever more attuned to it.

Mr. Bercow: Thank you, Mr. Deputy Speaker. I have noted that guidance and I assure you that I will be bound by it. I do not want to suffer a grisly fate.

Mr. Steen: I do not want to suffer a grisly fate either, but I want to get to the bottom of a matter that troubles me, as it should the whole House. How does my hon. Friend think that the new clause would work with European regulations that are passed by the House? They comprise more than 50 per cent. of the rules and regulations that apply in the United Kingdom.

Mr. Bercow: That is an important point, to which I want to turn. I hope that my hon. Friend will forgive me and not regard it as impolite if I do not do so immediately. There is a reason for it, which is that there is an attempted chronology to my speech. There is a sequence of events and arguments through which I want to take the House. I have not yet reached his point but I promise that I shall make my best endeavours to do so. I know that my right hon. and hon. Friends would not, through their interventions, seek to prevent me from adumbrating the three inspirations for the new clause.

I have mentioned Dr. Erhard, and I need to say no more about him. However, it is legitimate in this context to say that one of the people to inspire new clause 1 was Walter Lippmann, who was a regular commentator on this subject. It was he who said that in a free society the state does not administer the affairs of men, it administers justice among men who conduct their own affairs. He should, of course, have referred also to women, but the gravamen—to quote my hon. Friend the Member for Cotswold—of his argument was sound. That is to say, as Lord Lawson of Blaby has regularly said, that the business of government is not the government of business. The new clause derives inspiration from those two individuals and from Baroness Thatcher.

I turn to the Government's stance. The Bill is of great importance and the new clause, which seeks to improve it, is of inestimable value. In these circumstances—I say this with no disrespect to the Minister for the Cabinet Office and the Parliamentary Secretary, Cabinet Office—it is disappointing that we are not graced with the presence of the Secretary of State for Scotland, whose responsibilities include such matters. She has a deep background in the Department of Trade and Industry. She sidled into the Chamber in ghostly fashion earlier but has now left it. That is a pity, but I will say no more about it.

There is a basic difference—it informs the entirety of our debate so far—between the Government's attitude to the new clause and the attitude that has been set out by my hon. Friend the Member for South Cambridgeshire. It is a divide which legitimately, but from the opposite point of view, the hon. Member for Eccles picked up. It was dwelt upon also by my parliamentary next door neighbour, the hon. Member for Milton Keynes, North-East (Mr. White). They are saying that Conservative Members are somehow guilty of failing properly to distinguish between the process of regulation on the one hand and its content on the other.

Indeed, the hon. Member for Milton Keynes, North-East accused me personally of being guilty of that confusion. I explained clearly, so as to brook of no contradiction, that I was not in any way confused and that I am critical both of the Government's process and procedure in relation to regulation and of much, though not all, of the content of the regulations that they have rammed through the House since 1 May 1997.

The hon. Member for Eccles was keen to argue that all that was necessary was to look from time to time at the procedure whereby a regulatory reform order had been implemented. I fundamentally disagree, and I shall explain why. However, I shall not do so before I have heard the pearls of wisdom of my hon. Friend the Member for Cotswold.

Mr. Clifton-Brown: Does my hon. Friend agree that it is not only the process and content of legislation but its enforcement that determines how hard it bites on the individual or on industry? For example, if the regulatory authority goes looking for people who transgress, that is much more rigorous enforcement than merely waiting for transgression to occur.

Mr. Deputy Speaker: Order. I see no connection between that point and new clause 1. I insist that the hon. Gentleman sticks strictly to new clause 1, otherwise I may have to resort to the Standing Orders.

Mr. Bercow: I am grateful to you, Mr. Deputy Speaker. I will not be tempted down the wrong path. I shall stick to new clause 1.

It is not a question only of process, but of content. It is precisely because we believe that Parliament can periodically review—and take a different view—on the merits of regulation that we argue for new clause 1. It is a direct response on our part to the position that was explained by Lord Falconer of Thoroton in the other place. I can succinctly encapsulate the difference between us and the Government on the new clause.

Lord Falconer is on record in the 10th report of the Select Committee on Delegated Powers and Deregulation, in relation to the Bill, on page 6 at paragraph 1, as saying:

"I undertake that that report"—

that is the report that he is saying should be published every three years—

"will cover the operation of the order-making process and any associated constitutional and procedural issues."

In fairness to Lord Falconer, he does not leave the matter there—this is the root of our dissatisfaction with him—but explains:

"I do not think that it would be right for such reports to reopen matters of policy which had been debated fully during the consultation, scrutiny and approval stage of the order-making process."

I think that he is completely wrong about that. If a Government have an idea—perhaps in relation to matters of regulation—they may issue a Green Paper or a White Paper and there may be a wide-ranging debate, with perhaps exchanges on the Floor of the House. Eventually the Government of the day may decide to introduce legislation of a regulatory character. Some of it will be introduced as secondary legislation, possibly even involving the negative procedure to which my right hon. and hon. Friends and I so strenuously object.

Lord Falconer's view is that once that is done, the only issue left to consider is whether the procedural requirements of the initial statute that we passed have been complied with in full. I do not accept that. Of course it is right that we should consider whether the procedural requirements and the spirit of Parliament in the initial enactment have been honoured. However, we should be prepared to do more than that, otherwise we are in a sense—I do not want to make a Second Reading point—flouting the very principle of parliamentary sovereignty, which is that Parliament should have an opportunity from time to time to return to a point. In relation to new clause 1—on which I am very focused, Mr. Deputy Speaker—the Government are guilty of an ostrich-like mentality. They are burying their head in the sand, and failing adequately, if at all, to listen to the legitimate voices of criticism of their policies. That is disappointing.

We should not need new clause 1, but we do. Why do I say that we should not need it? This is directly relevant to the potential of, as well as the need for, the new clause. In April 1997, in "Equipping Britain for the Future", Labour's business manifesto, the then shadow Chancellor, the right hon. Member for Dunfermline, East (Mr. Brown), said:

"We will not impose burdensome regulations on business because we understand that successful businesses must keep costs down."

[Mr. Bercow]

Nineteen months later, on 25 November 1998, in one of his final shots as Secretary of State for Trade and Industry, the right hon. Member for Hartlepool (Mr. Mandelson) said to the House:

"we have no intention of introducing any legislation that presents a burden on business and reduces the competitiveness of British firms."—[*Official Report*, 25 November 1998; Vol. 321, c. 214.]

The problem with that, Mr. Deputy Speaker—as you, with your acuity will readily discern—is that there is a massive contrast between the rhetoric and the reality. If that initial pledge had been honoured, we would not be debating this Bill this afternoon. We would probably be doing something else. For certain, we would not be debating the merits or otherwise of new clause 1.

The position that the Government take is not commended by, or even acceptable to, the representatives of business. You know, Mr. Deputy Speaker, because you are an exceptionally experienced parliamentarian, that it is popular sport for Members of Parliament of all political parties to invoke third-party support to back up their arguments. My right hon. and hon. Friends do it, and Labour right hon. and hon. Members do it. I find it irritating and irksome, but it is not uncommon for members of the Government to quote business spokesmen in support of their economic and industrial policies.

In relation to new clause 1, I think that I am entitled to quote some support. I have already referred to the distinguished commercial lineage of my hon. Friend the Member for South Cambridgeshire. At least as pertinent for the purposes of our debate is the stance of the current leadership of the British Chambers of Commerce. I have what might be described as news hot off the press for the purposes of our exchanges today. I had a conversation with the director general of the British Chambers of Commerce on this matter on the Sunday before last. It was at 7 am and we were in the green room in readiness for interviews on "The Sunday Programme" with Mr. Alastair Stewart.

I said to the director general, Mr. Chris Humphries, whom I hold in high regard. "It is good to meet you. You are probably aware that we will soon debate the review mechanism for regulatory reform orders, and our advocacy of new clause 1. You might also be aware that, on 8 March last year, in a debate on the regulatory business, I prayed you in aid." I am not apologetic about that, because what he said—among other things that he has said since—was that despite their rhetoric, the Government had dramatically increased the regulatory burdens that threaten small businesses' competitiveness.

Mr. Humphries made that statement on 20 January last year. More than 14 months on, there has been no material improvement; if anything, there has been a regression. Further regulations have been introduced; further statutory instruments have been rammed through the House; and further businesses have either gone bust as a consequence of regulation—

Mr. Deputy Speaker: Order. The hon. Gentleman is going way beyond the terms of new clause 1. Ritualistic reference to it every now and again is not a substitute for debating it. The points that he is making are much wider than, and not appropriate to, this debate. I say that for the last time.

4.45 pm

Mr. Bercow: I am grateful, Mr. Deputy Speaker, and I shall be guided by you.

Earlier in my brief remarks, I suggested, in agreeing with my hon. Friend the Member for Cotswold, that new clause 1 could and should apply to existing regulation. That is fundamental to our debate. Of course we are concerned to minimise future burdens, but we are informed in our views, guided in our assumptions and encouraged in our arguments by our assessment of what has already taken place.

I think that I remember your helpful distinction, Mr. Deputy Speaker, following a point of order from me, between dilation and animadversion. I know that animadversion is all that I shall be permitted, and that is all that I seek from you. However, it is fundamental to why I believe in the new clause and why I have told a number of constituents this week that I intended to speak in support of it. Many existing regulations, whatever their purpose, and whatever their impact—so far as their immediate beneficiaries are concerned—are implemented in such a way as to inconvenience, burden and make less competitive our companies.

Mr. Deputy Speaker: Order. We have been over this many times, and I must remind the hon. Gentleman that the new clause relates to the regulations that may or may not be made under clause 1. I do not wish to hear him go beyond that.

Mr. Bercow: I am very grateful to you, Mr. Deputy Speaker, and I will be guided by that.

However, this is obviously a matter of considerable dispute. I had a discussion with my hon. Friend the Member for South Cambridgeshire about it. It is his view, as shadow spokesman for Cabinet Office matters and the parent of the new clause, that if it were passed by the House, it would be capable of rolling back the frontiers of a number of existing regulations. That is all that I have in mind to say on that. I was talking about some of the regulations that have regularly been debated in the House.

Mr. Gray: You have correctly pulled my hon. Friend up once or twice, Mr. Deputy Speaker, for talking about previous regulations. However, does he agree that the only way to see the true value of new clause 1, and understand why it is so essential that it should form part of the Bill, is by referring to previous regulation of one sort or another—in business, agriculture, or other areas—that would have fallen off the edge and so no longer have borne down on our people had new clause 1 existed at the time? It is only by using such regulations as an example that—

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman is inadvertently overruling the ruling that I have given.

Mr. Gray: No.

Mr. Deputy Speaker: In which case, he has not heard it and I will repeat it. This debate, which is a narrow debate despite its length, has to focus on the relevance of new clause 1 to clause 1. This cannot be a general debate about regulations.

Mr. Bercow: I am very grateful to you for that guidance, Mr. Deputy Speaker, by which I stick. I simply

make the point that one of the reasons for believing that we need to be better protected in the future than we have been in the past is that we rue that past experience. That is a point about which I have regularly expatiated, not least in your presence, Mr. Deputy Speaker, in a variety of forums. I will not talk about the parental leave directive, because you will not permit it, and it seems that I am not to be permitted to talk about the merits or demerits of the Part-time Employees (Prevention of Less Favourable Treatment) Regulations 2000. Let me say again, for the avoidance of doubt, that I will not talk about them. However, they are uppermost in my mind when I say to my hon. Friend the Member for South Cambridgeshire that I believe that the new clause makes good sense.

Mr. Clifton-Brown: When I was making my speech, my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) referred to clause 6, which is mentioned in new clause 1. Clause 6(2)(a) refers to

"the burdens which the existing law affected by the proposals has the effect of imposing".

Does my hon. Friend agree that every new regulation has the incremental effect of imposing extra burdens?

Mr. Bercow: That is certainly true. I do not know whether we are about to have what is described in the parlance of basketball as a time-out, in which consideration of the position can be undertaken, but in the interim, I will continue—

Mr. Lansley: Will my hon. Friend give way?

Mr. Bercow: I will—very conveniently.

Mr. Lansley: As my hon. Friend referred to advice that I may have given him about the uses of new clause 1, let me say, for the avoidance of doubt, that its purpose is to require a review by reference to the matters set out in a statement laid under clause 6(2) of regulatory reform orders. As you have quite rightly directed us, Mr. Deputy Speaker, that does not mean that we can discuss regulation willy-nilly, but only those regulations that might be affected by regulatory reform orders made under this legislation. The Government have helpfully set out 51 possible measures, and there may be others, but we cannot discuss the merits of every regulation.

Mr. Bercow: I offer my hon. Friend the bouquet that that is helpful, although I couple it with the brickbat that it is only partly helpful. I will not talk about previous regulations because that, apparently, is not in order. However, subject to your guidance and authority, Mr. Deputy Speaker, I think that I am entitled to say that the representatives of business have been arguing for a reduction in the regulatory burden and for a regular and consistent review of imposts ever since the Government took office. I am not making a narrow and partisan point. You know that I am neither narrow nor partisan, Mr. Deputy Speaker.

My hon. Friend the Member for Wantage referred earlier to what happened under the previous Government. I intend no discourtesy to someone who is very senior, distinguished, important, respected, influential and busy, with many commitments and a very full diary—namely my right hon. Friend the Member for Henley (Mr. Heseltine)—but he did not come up with the review mechanism proposal that has wisely occurred to my hon. Friend the Member for South Cambridgeshire. If he had done, we might not have needed to debate this today. However, I think that I am entitled to point out, as in business questions earlier today I had occasion to, that representative groups for British business want such policies to be introduced. Whatever they think about the Government's attitude on other matters, whatever their view about the European single currency or late payment of commercial debt and interest charged thereon, they are of one mind about the need to tackle the burgeoning and damaging phenomenon of over-regulation. The British Chambers of Commerce has called for the introduction of a review mechanism. That is what the new clause would do.

We should not overstate the case. We in politics are given to exaggerated ambition and no little rhetorical hyperbole. I do not indulge in it myself, but I am conscious that others do. It is not that I think that as a result of the introduction of the review mechanism proposed in new clause 1 the situation would be perfect. The new clause is not a panacea. It is an incremental measure; indeed, the president of the Adam Smith Institute, Dr. Madsen Pirie, would describe it as a micro-incrementalist measure. It does not take a holistic view and it certainly does not take a wildly radical view. It is rather piecemeal; it is not a provision for sunset clauses, which I originally commended to the House in my ten-minute Bill on 27 April 1999.

I do not want to open up a division with my hon. Friend the Member for South Cambridgeshire on this subject, because we are both on the Conservative Front Bench. I am a very junior spoke—a minor cog in the wheel—whereas he is a senior and celebrated member of the shadow Cabinet. However, we both sing from the same hymn sheet. I think that he believes that it is better to have half a cake than no cake at all. He is taking a cautious, reasonable, tactical approach to a long-standing problem.

In trying to devise solutions to the problem of the sea of regulation confronted by business, we have to run very fast to stand still. That point was made in a different context by my noble Friend Lord Biffen in relation to public expenditure. The same difficulty in bearing down on existing spending totals applies to regulations. There is a natural leviathan tendency in government. Ministerial advisers are usually keen on more regulation, direction and legislation, for it is, in a sense, their very raison d'être—

Mr. Deputy Speaker: Order. I have been very tolerant with the hon. Gentleman. I have suggested to him on a number of occasions that he has been engaged in irrelevance. I now directly invoke Standing Order No. 42, to remind him and the House that any hon. Member who persists in irrelevance may be required to discontinue his speech. I hope that the hon. Gentleman will not oblige me to go down that path.

Mr. Bercow: I have no desire to do so, and I am grateful to you, Mr. Deputy Speaker, for showing me the yellow card rather than the red. I have no intention of courting further disfavour.

Mr. Lansley: Before my hon. Friend concludes, I want to assure him that our views on sunset clauses are not

[Mr. Lansley]

remotely inconsistent. If regulatory reform orders have a substantial deregulatory purpose, we would not want to invoke a sunset clause simply to disapply them after a period of time, as we would want the deregulatory purpose to be sustained. However, orders may be introduced that impose new burdens, and the expected benefits may not flow from them. Under those circumstances, does he agree that our deregulatory purpose would be best achieved by the new clause, which would allow them to be stopped when that happened?

Mr. Bercow: I entirely agree, and my hon. Friend's point makes good sense. There is therefore no difference between our views.

My final category of remarks relates to whether the review mechanism in new clause 1 applies to future regulation and legislation flowing from the European Union. It is important to clarify that. I have no interest in debating the European Union. I have pronounced on that topic often and occasionally at length.

The House must consider two crucial enabling devices relevant to the debate—article 3(b), on subsidiarity, of the Maastricht treaty, and the protocol on the application of the principles of subsidiarity and proportionality which is an annexe to the treaty of Amsterdam. We should hear more about them.

Mr. Lansley: My hon. Friend rightly touches on a point mentioned previously by my hon. Friend the Member for Totnes (Mr. Steen). It seems to me that EU legislation that has direct effect would not be susceptible to regulatory reform orders, so the new clause would not apply. However, other EU measures require domestic legislation in this House. Does my hon. Friend agree that they could be implemented by regulatory reform order, in some circumstances, and so be subject to the new clause?

Mr. Bercow: I am grateful to my hon. Friend, but I like to make short speeches, and I have now concluded this one.

Mr. Steen: I could not face incurring your wrath, Mr. Deputy Speaker. I hope that the House finds what I have to say helpful: if not, I shall not continue. However, in the past I have found that the House finds the odd observation helpful.

My concern has always been the number of rules and regulations passed by the House. I have been a Member of Parliament for very nearly as long as you, Mr. Deputy Speaker, and I know that the House exists to pass more rules, regulations and laws. A real deregulatory process would mean that hon. Members did not have to spend so much time in the House. When Britain had an empire, the House did not have to sit nearly as long.

5 pm

We now have a very complicated society with an increasing number of rules and regulations. We are making more laws and sitting longer. The purpose of new clause 1, as I understand it, is to reduce the amount of legislation on the statute book by providing that after five, four or three years, legislation can be removed from the statute book. I cannot understand why anyone would oppose that concept. Nor can I understand why right hon. or hon. Members would not want there to be less legislation, unless they had concluded that its removal would put various sections of society at risk and that more laws meant increased safety, hygiene and security. Despite the fact that we have passed a great deal of legislation on hygiene, the incidence of health epidemics such as BSE and foot and mouth disease has increased. Indeed, there seems to be a direct correlation between the amount of legislation that we pass on hygiene and the incidence of sickness, ill-health and food poisoning.

I am making a perfectly reasonable speech, which I hope the Minister will respond to in his reply to the debate, if he gets the chance to speak. I am very keen on sunset clauses and reviews simply because they might reduce the amount of legislation that remains on the statute book. When the Conservatives were in office, we talked about deregulation, which meant fewer laws. We are now talking about reducing legislation by the effluxion of time.

Mr. William Cash (Stone): Will my hon. Friend give way?

Mr. Steen: If it is a useful point.

Mr. Cash: I hope that it is. It may interest my hon. Friend to know that I too wish to speak in the debate because in 1984, within a few months of being elected, I introduced the Small Business Bill, which dealt specifically with the reduction of legislation, as my hon. Friend may recall. He may even have been a signatory to it. Furthermore, I have even written a pamphlet on the subject, on which I can dilate at great length.

Mr. Steen: There are very few subjects on which my hon. Friend has not written a pamphlet. I am delighted that he is here today and that he hopes to contribute to the debate. I shall make a short speech. I am not interested in extending the debate because I think that all the points have been covered from every possible angle, but I am concerned about why the Government are not in favour of new clause 1, which would reduce the amount of time, effort and energy that we devote to debating and passing legislation. I should have thought that most right hon. and hon. Members would like more time away from this place, but it seems that Labour Members would like to be here day and night, seven days a week, producing more and more legislation. The new clause is about less legislation.

I make one simple point that I have made before. I have sat on the Deregulation Committee, and for four or five years I chaired the Conservative Back-Bench committee that tried to reduce the amount of rules and regulation by secondary legislation, but the new clause is much cleverer. As I understand it, it proposes to write into primary legislation a means of getting rid of legislation if it is no longer relevant. That is an advanced and progressive way of thinking. Under the Bill as it stands, the Government would have to find parliamentary time to cancel a rule or regulation that they had passed either on the Floor of the House or through secondary legislation. I can see that hon. Members are listening to what I am saying and I am quite sure that I am striking a chord with them, but I would love to give way to the Minister if he could tell me why I have got it wrong.

Mr. Clifton-Brown: My hon. Friend has got one simple fact wrong. The Labour Government want to spend less and less time in Parliament, producing more and more regulation. Would not it be better to spend less time in the House and produce less legislation?

Mr. Steen: I entirely agree with my hon. Friend; that is what I should like to do. I am a member of the Select Committee on European Scrutiny, which passes thousands of rules and regulations. I want those to be reviewed every five years; otherwise, we shall have even more books of legislation that someone will have to repeal—probably us, when we return to government.

The new clause is a sensible provision that any reasonable person would want to support. I am not making a party political point; I do not want to extend the debate—heaven forbid! However, after listening to it for several hours, I am at a loss to understand why the Government have set their mind against a progressive, radical, thoughtful, attractive and helpful provision and why they want to allow the Bill to be passed without amendment. It would allow the Government to keep all the existing rules and regulations and extend them—a type of gold-plating—without primary legislation.

The Bill is a device that is completely contrary to the new clause. It will allow the Government to multiply rules and regulations with ease; if 2,500 rules and regulations a year are introduced by Europe, the Government can turn them into 50,000—a nightmare progression. I do not say that the Government would want to do that, but the measure will give them that power.

I want less Government intervention. The new clause will reduce the amount of Government intervention in our lives. It will free us from the bureaucracy and official enforcement that control our lives. That is where the difference lies. The Bill would extend the powers of the state; the Opposition's new clause would reduce the powers of the state. I do not know whether that point is helpful, but I think that it is the essence of the new clause. It is amazing that I could make it so forcefully in only nine minutes. I hope that my hon. Friend the Member for Stone (Mr. Cash) will also have the opportunity to speak.

Mr. Owen Paterson (North Shropshire): I had not intended to speak in the debate—I had planned only to listen carefully to the arguments. Before I became a Member of the House, I was in business and travelled widely around the world, and I have yet to find a country that was regulated to prosperity. I congratulate my hon. Friend the Member for Totnes (Mr. Steen) on his excellent, short and pithy comments, which went to the nub of the debate.

Some Members believe that the state is a real agent for good, while others think that more good comes from individuals. I was especially struck by the comments of the hon. Member for Preston (Mr. Hendrick), which contrasted completely with my experience both outside the House and as an MP. I have received so much correspondence from businesses worn down by excessive regulation that I think that the new clause will benefit many businesses—especially small ones that cannot cope with regulation.

Much regulation and legislation is drawn up with the best intentions, but it is never subsequently reviewed. Despite the comments of the hon. Gentleman, there is no doubt in my mind, or in the minds of many of my business constituents, that legislation is gold-plated.

We should not go too far into the origins of legislation, but I want to draw the attention of the House to one point. On one day, 1 November last year, the Select Committee on European Scrutiny—on which I served with my hon. Friend the Member for Totnes and my hon. Friend the Member for Stone (Mr. Cash)—passed 78 documents within two minutes of the beginning of our meeting. With the best will in the world, we could not have gone into the intricacies of how that legislation would bear down on businesses that are trying to be competitive and make a living.

Specific practical examples have been missing from the debate. If you will bear with me, Mr. Deputy Speaker, I will cite two examples—one that has happened and one that may—of legislation that would benefit from new clause 1. It would ensure that there was a mechanism retrospectively to assess the impact of legislation and improve it. The first example is the regulation on integrated pollution prevention and control, which claims to be following European Community directive 96/61. When that came into force, the National Farmers Union said that

"for practical purposes, most mistakes or unintended consequences cannot be remedied."

Mr. Deputy Speaker: Order. I cannot allow the hon. Gentleman to continue on that line as it is a Second Reading point. He must confine his remarks to new clause 1, which is in turn confined not to regulations made elsewhere or in the past but to those that could be made under clause 1.

Mr. Paterson: I listened carefully to your strictures to my hon. Friend the Member for Buckingham (Mr. Bercow) among others, Mr. Deputy Speaker. I am trying to be careful to cite two examples that show how new clause 1 could help, as the debate has been general. As I understand it, new clause 1 relates to clause 6(2), which refers to

"burdens which the existing law affected by the proposals has the effect of imposing".

I am not test to tempt your patience, but I am trying to give a practical example that shows that, by agreeing new clause 1, we would improve existing legislation that is causing trouble.

The NFU said that most mistakes or unintended consequences could not be remedied. New clause 1 would offer a mechanism for remedy. The NFU continued:

"The Commission's zealous attitude towards compliance with the letter of the law means that the financial consequences of mistakes or unintended consequences from European environmental legislation tend to fully impact on the affected sectors."

If new clause 1 is added to the Bill, that lacuna about which the NFU is concerned could be corrected. The NFU continued:

"In combination with UK legislation requiring the costs of regulation to be fully recovered from industry, this means that in the agricultural sector farmers bear the full financial consequences of deficiencies in the drafting of European environmental legislation."

My hon. Friend the Member for Congleton (Mrs. Winterton) picked up on that point.

I am trying to be practical by mentioning a real case. New clause 1 would enable us to improve and review that IPPC legislation and assess the costs to the agriculture

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[Mr. Paterson]

sector. That point was brought home again to me by a business that wrote to me to make four brief points. The letter reads:

"My main concerns are . . . Cost of registration and ongoing fees being completely out of line with current agricultural cost."

Surely new clause 1 would tackle the worries on that point.

The second point—this falls absolutely within the remit of new clause 1—that is made in the letter is:

"Nobody can tell me what . . . impact this will have on my business bearing in mind we are meeting all current environmental legislation."

Those lines alone justify the new clause. The person running that business is complying with all the current legislation. It is a successful business, but it is having difficulty competing with competitors here and abroad. No one can say what that important legislation will do to the business. The new clause would provide a mechanism, although it might not come in time. My worry is the five-year time limit. Many regulations have an impact within the first couple of years.

The third point that is made in the letter is about the cost of legislation. It states:

"The expected cost to our business at current rates will be approximately £100,000 registration fee and £40,000 annually thereafter."

That is a substantial cost to a small farm business. New clause 1 would bring transparency to the process. Instead of pushing the legislation through, as happens at present, hoping that business gets on with it, and then reading some worrying stories in the press a few months down the line, we would at least have a chance to rethink. I cannot see how any sane person can oppose that.

We need more business, more enterprises and more activity, especially when there are such problems in agriculture. The problems were bad enough before the foot and mouth outbreak, but they are extreme at the moment. There is a depressed, crushed feeling among many of my constituents, who believe that there is no escape from regulation. They write letters to me; I can speak and vote in the House, but there is no comeback when regulations are passed. New clause 1 would give them hope, although I am concerned about the five-year gap. I should like the review to take place more frequently.

Mr. Steen: Every year.

Mr. Paterson: We should bear in mind the fact that the current directory of European legislation is 1,278 pages long, so the burden of carrying out the review every year would be too great; it would be impractical. However, my hon. Friend is on the right lines because the worry is that much of the new legislation introduced is not properly scrutinised and the consequences are not thought through.

5.15 pm

I should like to cite one more case, but I think that, sadly, my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) will tell us that new clause 1 will not cover it. It is the very interesting case of a regulation. As all hon. Members will know, one of the worries in agriculture in recent years has been the closure of small abattoirs; some of the problems of foot and mouth have been caused by the excessive movement of beasts around the country to large units. The general consensus is that small is good in that sector, yet we have seen the wholesale devastation of the sector, mostly by regulation.

Mr. Deputy Speaker: Order. The hon. Gentleman is now going far too far. I can anticipate the hon. Member for South Cambridgeshire (Mr. Lansley), by saying that new clause 1 applies only to regulations introduced under clause 1. I have allowed the hon. Member for North Shropshire (Mr. Paterson) to cite some illustrative examples, but he has now had his ration of them.

Mr. Paterson: I am making a desperately serious point. The measure that I shall mention will have a dramatic impact on many small businesses.

Mr. Deputy Speaker: Order. I am not sure that the hon. Gentleman understands the ruling that I have given. He has, regrettably, heard me more than once, but the fact is that I have to try to focus the debate on the matter before the House. New clause 1 relates to regulations introduced under clause 1. He cannot talk about any regulation that might exist on the statute book at present. The debate is on whether it would be right to apply new clause 1 to clause 1.

Mr. Paterson: I was about the mention the regulation. I should very much like to know whether new clause 1 would encompass the regulation, but I have not had time to say what it is.

Mr. Lansley: Perhaps I can help my hon. Friend. The Government have already referred to some of the purposes for which they wish to introduce regulatory reform orders. The Ministry of Agriculture, Fisheries and Food wishes to introduce a regulatory reform order to extend the powers of the Meat and Livestock Commission. It is perfectly possible, of course, for a regulatory reform order to be introduced that would not only extend those powers, but impact directly on the Meat Hygiene Service. As my hon. Friend will remember, we have already had experience of the Deregulation and Contracting out Act 1994, which the Bill will replace, being used to reduce some of the regulatory burdens on small abattoirs. So it is clear that the power could be used, if he were to construe it in that way, to reduce regulations in slaughterhouses.

Mr. Deputy Speaker: Order. Hon. Members must not debate the merits of matters that may or may not be subject to regulation in future. The hon. Gentleman must direct his argument to whether the House should agree new clause 1, in so far as it affects clause 1.

Mr. Paterson: I should just like to mention the regulation that I had in mind, because if new clause 1 could affect that regulation, it would be a thoroughly worthwhile addition to the Bill. It is especially pertinent that my hon. Friend the Member for South Cambridgeshire mentions the Meat Hygiene Service, because I want to mention the Restriction on Pithing

(England) Regulations 2000, which have been introduced in the past five days under Commission decision 2000/418/EC. This is a most interesting case and it is germane to our debate. The regulation was introduced with well-meaning intentions, but I shall not go into the process of pithing.

Mr. Deputy Speaker: Order. I do not think that the hon. Gentleman will. I rule him out of order on that, because it is not within the scope of this debate.

Mr. Paterson: I have a final question for my hon. Friend the Member for South Cambridgeshire. Do regulations from European legislation come under the remit of the new clause?

Mr. Clifton-Brown: Has my hon. Friend considered the difference between a European regulation and a directive? A regulation automatically becomes law when it is passed; a directive has to be incorporated into—

Mr. Deputy Speaker: Order. That has absolutely nothing to do with the debate.

Mr. Paterson: I will not be tempted to discuss the point raised by my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), but the debate touches on the impact of regulations on many people trying to run small businesses. I know that you, Mr. Deputy Speaker, are trying to set a clear remit for the debate, but I wish to end my remarks by asking my hon. Friend the Member for South Cambridgeshire how regulations would be impacted on by the new clause. Directives are reinterpreted by this Parliament under clause 6(2), so it seems to me that they would be impacted on. That is very welcome. The IPPC, which I mentioned, would appear to come under the review, and my constituents would welcome that.

I am worried that the new clause does not cover regulation; that is the simple point that I wish to make. I would like clarification on that, but I endorse the spirit behind the remarks of my hon. Friend the Member for Totnes. Five years is probably too long a gap—we would like it to be less—but it is a very good start. Given the appalling burdens that the Government have inflicted on the entrepreneurial classes of this country, the new clause deserves our support because it would begin to try to reverse the ratchet.

Mr. Cash: I apologise for not being in the Chamber for as long as you may have wished, Mr. Deputy Speaker, but I have watched the debate with great interest from other parts of the precincts of the House of Commons.

Mr. Deputy Speaker: Order. The hon. Gentleman should not refer to such a fact. The only debate that he can possibly know about is the one that takes place in the Chamber.

Mr. Cash: I was of course blind while I was watching it.

I have a real problem with new clause 1, even though I support its objective. I wish to deal with the procedural questions that lie at the heart of the provisions. As you, Mr. Deputy Speaker, have often pointed out, the new clause covers orders made under clause 1. It states:

"Every order made under section 1 shall include a provision"—

it has to refer to the fact that it includes such a provision—

"for the Minister to present a report on the operation of the order in the fifth year after it has come into effect".

There is a simple but serious problem with that and it deserves close consideration: no order or statutory instrument of the House can revoke a provision made under section 2 of the European Communities Act 1972. The European directives and regulations to which my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) referred cannot be repealed simply by an order of the House.

I mention that fact because I was on the Joint Committee on Statutory Instruments for far too long. I proposed to the Speaker's Counsel and to the Committee some years ago that, when legislation was being introduced by statutory instrument—whether it was subject to annulment or approval—the letter "E" should be used to designate some of the instruments in the exceedingly long and ever-growing list of statutory instruments. My intention was to demonstrate to the Committee that, no matter what disposition it might make or what it might recommend to the House after discussing those statutory instruments, we cannot revoke or repeal, pass or not pass them because of the 1972 Act.

Mr. Bercow: I learned much at my hon. Friend's knee, so far be it from me to argue against him or query his superior knowledge. However, will he confirm that we cannot do what we want because new clause 1 would be incompatible with, and overridden by, the protocol on proportionality in the treaty of Amsterdam, against which we were co-conspirators in January 1998?

Mr. Cash: Some overriding problems will prevail because the 1972 Act was passed in its present form. If it does not change, it will be impossible to breach the acquis communautaire. I shall go no further down that route, but my point is important. I am not trying to string out the debate.

Mr. Lansley: My hon. Friend makes an important point, but the case that he makes does not frustrate the purpose of new clause 1. It would allow for a review and possibly a disapplication of a regulatory reform order, which can be made only if secondary legislation allows for such a reform. To disapply such a reform order by using new clause 1 cannot infringe restrictions on the use of secondary legislation under the 1972 Act.

Mr. Cash: I do not want to get into a dispute with my hon. Friend, so perhaps we could discuss that later. It is a different story when the new clause applies to provisions that are not derived from European legislation. There is a tremendous advantage in having such a measure on the statute book in so far as it does not contradict the principle that I have just mentioned with respect to the 1972 Act.

I am worried about the five-year provision, which my hon. Friend the Member for North Shropshire (Mr. Paterson) mentioned. In an intervention on him, it was suggested that it would be better to hold a review every year, but there are difficulties with doing that too frequently. It is too generous simply to assume that we

[Mr. Cash]

can judge whether an order has outlived its usefulness or become obstructive to small or other businesses on the arbitrary basis of a five-year term. If orders are to be made under clause 1, it should be possible to make them at any time. It should not be necessary to refer to an arbitrary period of five years.

Mr. Paterson: I mentioned the Pollution Prevention Control Bill, of which Lord Peyton said in another place:

"I do not believe that I have ever seen a Bill which shows more manifestly a deep and profound contempt for Parliament."—[*Official Report, House of Lords*, 15 February 1999; Vol. 597, c. 471.]

On that basis, many laws need reviewing as soon as their impact on business is seen. I should have thought that five years was the longest that we would want to wait to do that, because many Bills will have an impact long before that.

5.30 pm

Mr. Cash: That is why I should have preferred the new clause to say that the Minister should "present a report on the operation of the order within five years of its coming into effect", or something along those lines.

I take account of the fact that the object of the Bill, and clause 1 in particular, which is to try to knock sense into legislation, should be encouraged. I was the chairman of the Centre for Policy Studies reduction of legislation committee in the 1970s, so I have taken a significant interest in the subject. As I said earlier, I also introduced the Small Business Bill within four months of entering the House. That Bill specifically included as one of its objectives the reduction of legislation. I regret to say that very little was done for far too long. I am glad to note that the previous Government sought to tackle the problem. I have some sympathy with the Bill in that it seeks to achieve the objectives that many hon. Members share.

As I pointed out in a document that I wrote several years ago, there is a system that should be followed for reports such as those mentioned in new clause 1. The new clause says:

"Every order made under section 1 shall include a provision for the Minister to present a report on the operation of the order in the fifth year".

The question is, how should that be done? I should like the House, and the Minister in particular, to consider that carefully.

I have always believed that there is a mechanism for achieving the objective of removing the burden of legislation. In preparing the report, the Minister responsible should ask the Law Commission to make a recommendation on the nature of the reforms that are needed. The Law Commission is an independent body, so it could be seen to be doing that objectively, and not in a purely internal, political manner. Once the report had been received, the Minister, having drawn together a team of specialist lawyers, could invite them to make the necessary reforms to the entire statute book.

That was done by no less an authority on the reduction of legislation than Justinian himself. In the second or third century AD, he was faced with a monumental volume of legislation that had built up in the Roman empire. He simply drew together all the lawyers he could lay his hands on and instructed them to go through the statute book and reduce it. They did so most effectively within a couple of years. Reports such as those that would be required by new clause 1 should address the fact that there is today a vast amount of obsolete and unnecessary legislation. That can be effectively addressed only by an objective analysis such as the one that I have described.

Let me tell the House why. My following remarks are made without disrespect to the civil service. Ministers are Ministers of Departments; they get their advice from within those Departments. Every single piece of legislation creates a conflict of interest for the civil servants engaged in the repeal or reduction of that legislation, because legislation has to be administered by them. The bottom line is that an order would require those civil servants to be given the objective advice that I have described by the Law Commission, because they would otherwise have a disincentive to reduce legislation, which is, in effect, the source of their pay cheques. Therefore, new clause 1 is extremely important.

Leaving aside my point about European legislation—it is insuperable and will remain so until proposals of the sort that I have in mind, such as renegotiation on a proper scale, are implemented—there is an important question about, for example, the volume of public expenditure connected with the sort of report that a Minister would be expected to introduce. Legislation necessitates the employment of a number of departmental civil servants who are required to monitor it, which gives rise to public expenditure. One cannot overestimate the need for arrangements to reduce the volume of legislation by the means set out in the Bill. It is essential to reduce the volume of legislation and thereby to reduce administration and the number of administrators. There is a tremendous amount to be said in favour of the new clause.

Clause 1(2) refers to the "legislative competence" of the Scottish Parliament. There is a serious problem in that respect, but I do not need to spend much time on it. The relationship between the Scottish Parliament and the United Kingdom central Government throws up important questions relating to the sort of orders that can be made to achieve the objectives set out in clause 1 and, by implication, new clause 1. I remember debating this very subject with the late lamented former Secretary of State for Scotland during the passage of the Scotland Act 1998. If a provision passed by the Scottish Parliament is ultra vires the arrangements under the Act, the Secretary of State can make an order; however, he cannot make an order that is itself ultra vires arrangements prescribed by the European Union—at whose table the UK sits in the Council of Ministers. Therefore, there is a serious problem with Scottish statutory instruments under new clause 1, just as there is within the new clause itself.

There are many reasons to be enthusiastic about any provision that reforms laws, but the most important is that it is effective. Such provisions must reduce the amount of legislation. The Confederation of British Industry, the Institute of Directors, the Federation of Small Businesses, farmers—all are crying out for a reduction in legislation. We are living in a madhouse of legislation; it is far too complicated. Now, even accountants are saying that legislation has got out of hand. Some years ago, I sat on the Committee dealing with the consolidation of the Income Taxes Acts. I felt that the most useful thing I could say was that it was pointless of the Committee to try to reduce the volume of legislation, as clause 1 and

new clause 1 would achieve, if within a matter of years of their reform, the Income Taxes Acts redoubled in number. That is exactly what happened.

The task is impossible unless people have the political will to undertake it. That political will involves a procedural arrangement within the arrangements prescribed under the report specified in new clause 1, which will permit people to know that the task will be achieved. It is one thing to say that we shall seek to achieve that task; it is another to do it.

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): I almost expected not to speak on the new clause. May I remind Members who did not have the benefit of serving on the Standing Committee that new clause 1, which we have been debating this afternoon, was discussed in Committee as new clause 4? The only difference between the wording of new clause 4 and new clause 1 is that "will" has been changed to "shall". The Committee discussion was satisfactory, we explored all the issues and Opposition Members decided not to press their new clause to a vote. I am surprised that we have had such a long debate this afternoon when few, if any, new points have been made.

I should like to repeat the commitment that my noble Friend Lord Falconer gave on Second Reading in the other place on behalf of the Government. Because the hon. Member for Wantage (Mr. Jackson) asked for it, I shall repeat the Government's commitment to review the workings and constitutional implications of the Bill in three years' time. New clause 1 asks for a review in five years' time, which would be based on clause 6 and would allow either the House or the other place to annul unsatisfactory regulatory reform orders.

As we discussed in Committee, the Government contend that the structures that we have in place for reviewing regulations are a more effective procedure than waiting five years to review a regulatory reform order. It is possible for the Government, or any other Government, to get a regulatory reform order or any other piece of legislation wrong. If a regulatory reform order does not have the effects and impacts envisaged in debate, it should be reviewed as soon as possible. To do that, every Department has appointed a regulatory reform Minister whose responsibility is to keep current legislation and regulations under review and look at forward regulations to make sure that they are created in the best possible way and that their burdensome effects are minimised.

My right hon. Friend the Minister for the Cabinet Office chairs the ministerial panel for regulatory accountability, which has the facility to invite Ministers from any Department to account for their current regulatory performance and ask them what they will do in future. If any regulatory reform order is operating as envisaged, the Minister for the Cabinet Office and the members of the panel can summon Ministers from other Departments to discuss it. As well as those processes, there is the independent—

5.45 pm

Mr. Bercow: I am grateful to the hon. Gentleman for giving way, but I am afraid that he is very insouciant about the matter. In relation to the performance of individual Departments, he says that his right hon. Friend the Minister for the Cabinet Office can go and see the Minister concerned and remonstrate with him or her. Does not the hon. Gentleman understand that we are arguing for something much more exacting and rigorous? That is why we have spent the best part of three and a half hours arguing for new clause 1.

Mr. Stringer: The hon. Gentleman misunderstands me. The panel has the right to call people before it. It is the new clause that is cool and calm about regulation that goes wrong. If regulation goes wrong, why should the Government and Parliament wait for five years? Something should be done about it sooner. That is one of the reasons why I ask the hon. Member for South Cambridgeshire (Mr. Lansley) to withdraw the motion or the House to reject it.

The better regulation taskforce, which is independent, also reviews regulation. The hon. Member for South Cambridgeshire said, with regard to the Regulation of Investigatory Powers Act 2000, that huge costs had been postulated by business, whereas the Government argued that the costs would be considerably less. If the Government were wrong, their response to the report of the better regulation taskforce—that they would keep the workings and the impact of that Act under review—was a better response than waiting for five years. If the Government had got it wrong, it would be better to have a continual review, which was the Government's stated policy in response to the better regulation taskforce's report on e-commerce.

Mr. Cash: If the Minister cannot immediately answer my question, which I ask in all seriousness, will he write to me? Can he explain, with reference to new clause 1 and more specifically to clause 1, how it is possible to change laws if they are derived from European Union regulations or directives? There is nothing in the Bill which states that it shall not apply to provisions that derive from those sources. Is it to be assumed, therefore, that such provisions cannot and will not be changed, because of section 2 of the European Communities Act 1972?

Mr. Stringer: My understanding is that if European legislation is transposed into British legislation by primary legislation, and that legislation is a regulatory framework, the regulatory reform order process can amend the primary legislation. That is the purpose of the Bill.

Mr. Paterson: Not surprisingly, the Minister is defending his Government's mechanism for reviewing legislation and regulation. Can he tell us how many measures have been reviewed, and how many have been repealed or reduced as a result of those reviews?

Mr. Stringer: If the hon. Gentleman looks through the DTI programme, the recommendations of the better regulation taskforce and the number of deregulation orders, he will understand that a great deal of work has been done. I cannot quantify it, without notice of the question. So much work has been done in this regard that it would be a costly exercise to quantify it.

I come to the second point, which is very different and much more dangerous than the first.

One can understand Opposition Members arguing for a review after five years, but it is much more difficult to understand the proposal to allow this House or the other

[Mr. Stringer]

place to remove any regulatory reform order. I think that it derives from a fundamental misunderstanding of what such an order is. It can put previous Acts of Parliament in one place, simplify them and rebalance regulatory regimes, but it might refer to previous primary legislation. Disapplying the order before deciding what to do—I think that those were the words that were used by the hon. Member for South Cambridgeshire—could leave a huge hole in any regulatory regime. He gave the example of fire regulations. The removal of such regulation could leave everybody in the country without its protection.

Mr. Lansley: For the avoidance of doubt, I should tell the Parliamentary Secretary that in terms of fire regulation, the purpose of the new clause is to ensure that a review occurs if it has not happened under any other mechanism within five years. Of course, it is open to the Government to introduce a new regulatory reform order instead of simply disapplying orders, but the power to disapply the order might be the best way of achieving a deregulatory effect.

Mr. Stringer: The hon. Gentleman makes his point. I admit that fire regulations are an extreme example, but the essential point remains: a hole could be left in regulations. It would be within the power of this House and of the other place to leave such a hole. That is the second fundamental reason why I hope that he will ask leave to withdraw the motion. The new clause would give the other place power to remove chunks of primary legislation without the agreement of this House. That must be a brand-new position for Opposition Members, who seem to be saying that the other place should be able to do things that this House might not want. I do not know whether the hon. Gentleman understood what he was doing when he included the phrase "either House of Parliament" in the new clause, as it would allow either House to make an order. If he did understand it, that is an extraordinary position for Opposition Members, as the provision would give some legislative primacy to the other place.

I shall not follow Opposition Members all the way around Europe, the world and several dictionaries, which is where they went in their speeches. I do not think that the case has been made for the new clause. I am not sure whether many of the hon. Members who spoke understood the provision that they supported or were aware that it would pass power down the Corridor. I request that the hon. Gentleman seeks leave to withdraw the motion. If he will not do so, I ask the House to reject it.

Mr. Lansley: With the leave of the House, Mr. Deputy Speaker. In view of the time, and although I do not accept the Parliamentary Secretary's arguments, I want to move to the next group of amendments. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

LIMITATIONS ON ORDER-MAKING POWER

Mr. Lansley: I beg to move amendment No. 3, in page 3, line 9, leave out "(a)".

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss amendment No. 2, in page 3, leave out lines 12 to 15 and insert—

'is also of the opinion—

'(a) that the burdens created or imposed as a result of the provisions of the order are less onerous than those reduced or removed; or

(b) that other beneficial effects for persons affected by the provisions of the order, not including those effects which only relate to Ministers of the Crown, government departments or statutory bodies, make it desirable for the order to be made.'.

Mr. Lansley: After the hors d'oeuvres, we come to the main course, although we will have to eat very fast.

I think that I can state the amendment's purpose pretty straightforwardly. On Second Reading, we tabled a reasoned amendment to the Bill as a whole on the grounds that it sought to use an exceptional power not for the original purpose for which it was created, which was a deregulatory one. We lost the Division on that amendment.

In Committee, we tried to ensure that, in imposing limitations on the order-making power, the Bill would not only have the deregulatory purpose for which amendments in another place provided, but that the burdens that were removed exceeded those that were created or imposed. That was resisted.

There may be a technical, drafting problem with the amendment, but I hope not. I emphasise that we are searching for a compromise. We understand that the Government intend to establish a power not only to reimpose burdens in existing legislation when reforming a regulatory system, but to create new burdens. The Government should be required under the Bill to consider additional or recreated burdens and determine whether they are more or less onerous than the provisions that are to be reduced or removed.

Such a requirement is similar to the provisions of the Deregulation and Contracting Out Act 1994, which was tighter than the Bill, but provided that Ministers could create burdens that related to the subject matter of, but were less onerous than that imposed by, the existing provision. Existing legislation therefore already provides for weighing up burdens.

If Ministers want to proceed down the path of imposing burdens that are more onerous than those that are reduced or removed, they should be required to express that in the Bill. If the burdens are more onerous, they should balance that against the benefits that will accrue. However, they should not be public sector benefits.

We want to reach a compromise. If Ministers intend to have the power to impose new burdens, let them do that, but not through reference to benefits that would accrue to the public sector, Ministers, Departments and statutory bodies. If Ministers can demonstrate that benefits to the private sector will outweigh the additional burdens that they want to impose, they should quantify them.

I will stop speaking simply to give the Minister an opportunity to reply. However, the amendment constitutes a genuine effort to move from our earlier position to one that might be acceptable to the Government.

Mr. Stringer: I shall to be brief. There was an attempt in Committee to turn the Bill into another deregulation

measure. I hoped that I had convinced Conservative Members that the purpose of the Bill was to re-balance regulatory regimes and that even if the powers in the 1994 Act had been brought up to date, they would not have enabled a Minister to take action to improve a regulatory regime. I gave an example in Committee that is worth reiterating. If a Minister wants to remove many small burdens from shops and place larger burdens on supermarkets, it is difficult to ascertain the way in which to weigh that up and calculate the benefits and disbenefits. Yet common sense shows that there is a reason for that.

In trying to reintroduce paragraph (a), the hon. Member for South Cambridgeshire (Mr. Lansley) has reopened the debate. There is a conflict between the hon. Gentleman's remarks and the amendment. That is confusing. Proposed new paragraph (a) would turn the Bill into a deregulatory measure. Yet proposed new paragraph (b) states:

"that other beneficial effects for persons affected by the provisions of the order, not including those effects which only relate to Ministers of the Crown, government departments or statutory bodies, make it desirable for the order to be made."

That replaces tighter tests for which clauses 1 and 3 provide. We spent a great deal of time discussing those proportionate tests—

It being Six o'clock, MR. DEPUTY SPEAKER, *pursuant to Orders [19 March], put forthwith the Question necessary to dispose of proceedings to be concluded at that hour.*

Amendment negatived.

Order for Third Reading read.

6 pm

Mr. Stringer: I beg to move, That the Bill be now read the Third time.

I am pleased that the Bill is proceeding through its final parliamentary stages. It is more than two years since we first consulted on it and almost exactly a year since it was published in draft. As a result of prolonged gestation, the Bill received a thorough, almost unprecedented amount of parliamentary scrutiny. The Government listened to anxieties and accepted several amendments in another place. Those amendments ensure that all orders must be based on a deregulatory measure.

The Bill has undergone further scrutiny in this House. I am pleased that Committee stage was marked by a consensual and constructive approach by all parties. Although no further amendments were made to the Bill, I hope that hon. Members on both sides of the Chamber will agree that our debates in Committee made the Government's position clear on a number of issues where some hon. Members still had doubts. Indeed, a draft form was produced for the consultation that the Department should go through when it is consulting on a regulatory reform order. Some of the structure of that is thanks to Conservative Members. We had a constructive debate in Committee.

Mr. Cash: I shall pursue a point that I made at an earlier stage about the compatibility of obligations resulting from membership of the European Union, and the directives and regulations that derive from that and section 2 of the European Communities Act 1972. I have been reading again the explanatory notes to the Bill, and I bear in mind the Minister's reply. I think I saw movement upwards and downwards—nodding—from the Front Bench when the Minister replied. There is an important question that needs to be resolved.

On the issue of parliamentary scrutiny, on page 56 the explanatory notes clearly state:

"Subject to the terms of any Standing Order under which they were appointed, any such Committee might well consider in each case whether proposals . . . appeared to be incompatible with any obligation resulting from membership of the European Union."

I want clarification in writing of whether any order made under the Bill could be made if it were incompatible with an obligation derived from a directive, a regulation or other legislative enactment of the European Union.

Mr. Stringer: I think that the courts are considering that very point. It is not quite the question that the hon. Gentleman asked before. However, I am happy to write to him on that issue.

Having had such a serious and detailed consensual debate in Committee, I was disappointed—perhaps I should not have been—by the debate on Report. We did not discuss areas of consultation or the amount of deregulatory action that should be within the Bill, if indeed there is a difference between the Front Benches on that issue. We did not discuss whether the wording should be simpler or clarified within regulatory reform orders. These matters were not discussed. In many instances we had what were, in effect, Second Reading speeches. That is disappointing. As many hon. Members have said, there is an interest on the part of business, as well as of Members of this House and the other place, in getting regulation right, and in making it as unburdensome on business as we can. That requires a detailed and thoughtful understanding of the regulatory process. It does not require simple, ideological statements that are grounded not in objective evidence but in prejudice.

I can only think that a lack of political confidence, and a lack of confidence in their own intellectual analysis of how regulations impact on business, led to the Opposition's being unprepared to debate the details, despite all the time available this afternoon. If they had debated them, they might not have had to repeat clichés such as the one about this country being the most heavily regulated and becoming even more so. Almost every independent study, including the Organisation for Economic Co-operation and Development study published in December 1999, showed that that was not so. That study showed that, in terms of product market regulation and the barriers of trade, ours was the least regulated of the OECD countries.

A number of Conservative Members made the standard prejudiced point that we were the only member of the European Union that played by the rules. In fact, if we compare this country's performance on the speed with which legislation is transposed with that of other countries, we are mid-table. We are also mid-table in terms of the number of infraction proceedings against this country; we are neither the best nor the worst. The better regulation taskforce's study comparing the hotel industries in France and the United Kingdom concluded that the hotel industry in France was slightly more heavily regulated than ours.

The right hon. Member for Henley (Mr. Heseltine) has been mentioned a number of times—fondly, I think, by Conservative Members—for the work that he did on deregulation and better regulation. In 1994, he set up a taskforce to consider how we, compared with other European countries, had transposed some European

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[Mr. Stringer]

legislation. His report was very long, but it found very little evidence to support the contention advanced by Conservative Members. I am confident that the Bill will become a valuable tool for implementing important reforms. It will also help Ministers to act in those situations in which regulation is being applied in too heavy-handed a fashion. Again, that is not a party political point, but something that all sides welcome.

Mr. Paterson: The Minister sounds immensely complacent to me. The British Chambers of Commerce estimates, in its burdens barometer, that £9.62 billion has been imposed on business in the form of burdens, yet the Minister has just dismissed that. That is a very significant sum of money, and it bears down disproportionately on small businesses.

Mr. Stringer: The hon. Gentleman must not mistake my nearly being sent to sleep by some Conservative Members' speeches—which were rather off the point—for complacency. If we were complacent, we would not be introducing this Regulatory Reform Bill. We have introduced it because we know that there is a problem, and that the Government can improve their performance on regulations. Indeed, any Government can do so.

We are aware that all regulations that apply to small, medium and large businesses impact disproportionately on the small businesses. It is an arithmetical fact that they do so. That is why we have taken measures either to exempt small businesses or, as the Chancellor announced in his Budget statement, to give special support to them. I remind the hon. Member for North Shropshire (Mr. Paterson) that since this Government came to office, there has been a net increase in small businesses of 150,000 or thereabouts. Those businesses are being created faster and are lasting longer than under the previous Government. Those 150,000 small businesses have contributed to the 1 million jobs that have been created over the past four years.

Mr. Bercow: The Minister seeks to assure us that he is not complacent. I do not doubt for a moment that he will acknowledge the superiority of the record of the United States relative not only to Britain but to all the member states of the European Union in job creation and retention these past 30 years. In that context, and in preparation for the Regulatory Reform Bill, can the hon. Gentleman tell us what assessment he has made of the Regulatory Flexibility Act 1980 and the Small Business Regulatory Enforcement Fairness Act 1996 in the United States?

Mr. Stringer: I can tell the hon. Gentleman that in comparative studies between the regulatory burden in this country and in the United States, when state and federal regulations are added together, this country comes out very favourably. I refer the hon. Gentleman to the OECD study that I mentioned earlier.

The Bill is an excellent tool in itself and an exemplar of scrutiny both before it reached Parliament and when it was before this House and another place. I look forward to its wide and frequent use in improving this country's regulatory regime and achieving a legislative framework to suit the modern world.

6.11 pm

Mr. Lansley: I am grateful for the opportunity to respond to the Minister on Third Reading. Even though he chided Conservative Members for making what he described as Second Reading speeches on new clause 1, I felt that the Minister wanted to revisit the Second Reading debate himself. However, we have had that debate. I am pleased to echo the Minister's view that there was a constructive attitude to the Committee proceedings throughout, although we secured no changes to the Bill in Committee, nor was it ever likely that we would secure any changes on Report. It was right for my colleagues to use their time to express their sense of concern about the pace and increases in regulation. It was perhaps their best opportunity to express their concern rather than to play the Government's game that it is now simply a matter of debating the legislation's technicalities and procedures.

The Government will no doubt have their Bill. We objected to it on the ground that it did not have a solely deregulatory purpose. None the less, I hope that it will be only a short time before we have the responsibility of using it. We have agreed that the legislation is not without merit. It is true that the Deregulation and Contracting Out Act 1994 did not necessarily give sufficient scope for reforming a scheme of regulation rather than regulations that related to one subject alone. It was certainly a limitation, even on a deregulatory purpose, for the 1994 Act to confine deregulation and contracting out orders to legislation passed prior to the point at which the Act came into force. So there is merit in the Bill for that reason.

We will be able to use this legislation for a positive deregulatory purpose. I freely admit that I do not exclude the possibility of occasionally changing a scheme of regulation in ways that impose burdens at the same time as reducing them elsewhere, thus rebalancing them. It is not inconceivable that from time to time one has to restructure legislation to impose burdens.

I remind the House that our objection to the Bill was that it did not seem to us right to use the exceptional, supra-affirmative procedure. That procedure was created by the previous Conservative Government, and opposed by the then Labour Opposition. It was designed for the very specific purpose of reducing the extent to which the Executive place burdens on private citizens. However, the Bill applies the supra-affirmative procedure to many purposes other than deregulation. Whatever the Minister may say, and regardless of the nature of amendments to be tabled in another place, the deregulatory purpose may be no more than a fig leaf to cover the Government's regulatory intent.

I do not want to intrude a harsh partisan point, but we believe—from our experience and from the experience of those dealing with business—that regulation has increased under this Government. A number of business organisations' representatives consider that increase to be excessive and believe it should it be rolled back.

I turn once more to Sir Martin Jacomb, who wrote in *The Daily Telegraph* earlier this week:

> "Early last month, the Prime Minister invited a group of business people to breakfast at Chequers; they told him how regulation and tax bureaucracy were stifling enterprise, which apparently came as news to him. It surprised no one else."

That is the essence: we know what the Government and the Minister clearly do not—that the business sector is finding that the increasing burden of regulation inevitably stifles enterprise. The Government have not established an underlying system to try to reduce that burden.

It will be a Conservative responsibility to reduce the burden of regulation. The Bill is not enough. It should be used only by a Government in the context of a system for reducing regulation generally. We debated review clauses in the context of new clause 1, but such a mechanism should be only one element of an intention to introduce sunset clauses on all future regulations and legislation that have the effect of increasing burdens.

Mr. Ian Stewart: The hon. Gentleman said what the Bill should be used for. Does that mean that the Conservative party will not honour its commitment when the new Regulatory Reform Committee looks at the Vaccine Damage Payments Act 1979? The Government have promised that changes to that legislation will be made at one of the Committee's first meetings.

Mr. Lansley: I am surprised at that question, as the hon. Gentleman was an assiduous member of the Standing Committee. In our deliberations, I offered the reform of the 1979 Act as an example of something that we did not oppose. I said that we supported it. However, he will recall that my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) has told the House that the Opposition believe that that proposal for reform of legislation should have been included in the Queen's Speech, and achieved by primary legislation.

It is not for me or the Minister to anticipate the contents of a Queen's Speech. An extension of the vaccine damage payments scheme might be achieved by means of a regulatory reform order or primary legislation. However, the House should not be under the misapprehension that we would not want to extend the scheme.

Regulatory reform orders should be used in the context of a deregulatory initiative across the board. Sunset clauses have a part to play, as does the reform of institutions established by the Government such as the panel for regulatory accountability, the better regulation taskforce, the regulatory impact unit, and so on. They are all very well, but do not deliver the objective sought by business.

Essentially, two things are needed. The first is a stronger agency—a deregulation commission with the power to block additional burdens imposed by legislation and to examine them under a special procedure before they are proceeded with. In that way, business could have a voice with influence in Government to limit legislation.

We also need an audit of the burden that regulation imposes on businesses. We need to establish a baseline in order to create regulatory budgets which will have the progressive effect of reducing the overall burden on business. Unless we do that, precisely the opposite tendency will apply. There is a tendency for Governments to increase the burden of regulation systematically over time, as is happening under the present Government. That is inevitable, not only because they do not have a system to reduce regulation, but because it is often their intention.

Each year, the Institute of Chartered Accountants carries out a survey of its business advisers, looking at the cost to businesses of complying with the legislation that came into effect in the preceding year. That is not the total cost of complying with legislation, but a measure of the in-year change in the burden of new legislation. In 1999 it estimated that the cost to micro-businesses, or businesses with up to five employees, was £1,700. It rose to £3,600 in the year to July 2000. For small businesses, which for this purpose were defined as businesses with up to 50 employees, the figure was £4,700 in 1999 and £8,000 in the year to July 2000. That illustrates that it is not simply that there is an excessive burden of legislation and regulation, but that the rate at which it is being imposed is still increasing and needs to be reversed.

Mr. Pike: Does the hon. Gentleman accept that in theory the new committee to be established by the Bill could conduct an inquiry into the way in which the Act was being used, and in a year's time, for example, could publish a report raising some of those points? Given the additional debates on Select Committee reports in Westminster Hall, the issue could be debated if the opportunities that the Government are anxious should be used are not seized as a result of the new Act.

Mr. Lansley: The hon. Gentleman makes an important point that I was going to touch on later—that it is important for the legislation to be reviewed. In response to an earlier debate, the Minister made it clear that it remains the Government's intention to conduct such a review and to report some three years hence in relation to the procedures, the order-making process and the constitutional and other procedural issues, but not in relation to the policy as the Government regard that as having been settled.

The hon. Member for Burnley (Mr. Pike) made the very fair point that the Regulatory Reform Committee, if it is to be so styled, could indeed undertake such a review. My hon. Friends and I would welcome that because, at the risk of repeating myself, we all tend towards legislation and regulations where, to put it in military parlance, we fire and forget. We need to see where the bullets hit and what damage they do. If they have the intended benefit or better, that is all well and good, and I am sure that the policy that lay behind any particular regulatory reform order will be seen to have been vindicated.

Without debating with the hon. Member for Milton Keynes, North-East (Mr. White) the estimates of what the compliance and other impacts of the Regulation of Investigatory Powers Act 2000 will be, it is also legitimate for people to take distinct and differing views of the impact of legislation that is passed through the House, so it is vital that we do not treat the policy as given and then move on. In that respect I hope that, even at this late stage, Ministers might revise their intention and make it clear that they will participate and help the new committee and the House to look not only at the policy, but at the effectiveness of the regulatory reform orders that are introduced, at their compliance with the structure of the document set out in clause 6, and at whether the orders have the effects that were intended.

On that point, I thank the Minister for writing to me, to the hon. Member for Burnley and to the Chairman of the Delegated Powers and Deregulation Committee in another place about the process of preliminary consultation. It will be much to the advantage of the Regulatory Reform Committee, the House and consultees if they are given direction as to the issues that will have to be addressed in the document specified in clause 6.

Notwithstanding the Minister's positive response, it is not the purpose of the preliminary consultation to apply the tests proposed in one or two of the regulatory reform

[Mr. Lansley]

order consultation papers. I do not dispute the importance of the fair balance and desirability tests under clause 3, but they are for Ministers and the House to apply—on advice from the Regulatory Reform Committee. The Minister noted that preliminary consultation should not attempt to make judgments or to reach conclusions before information has been acquired. It thus seems premature to make judgments as to desirability or fair balance before a document is laid before the House. Those matters do not belong in the preliminary consultation process.

Other matters, however, should be covered: the burdens that are to be affected; the reduction or removal of burdens; the imposition of burdens; whether necessary protection is removed; whether reasonable expectations are to be frustrated; and the savings and increases in costs. Indeed, if the Minister wants to take this path—although the measure does not require it—the question of specific impacts on particular persons or groups could be addressed. The Minister referred to the importance of considering the disproportionate impacts that sometimes affect small businesses. He rightly said that we should always consider the exemption of small businesses from legislation that may have disproportionate effects on them owing to their lack of internal resources for dealing with it. If the document and the preliminary consultation provided for under clause 6 could identify such impacts, it would be useful.

During Report stage, my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) referred to risk assessment. In one of the consultation documents, the Home Office, too, expressed the issue in terms of risk assessment. It is important to do so; I have no criticism of that. Often, in the pursuit of spurious accuracy in compliance cost assessments, there is a tendency to fix a figure and ignore things that are more difficult to quantify or that are the subject of variable assumptions. At certain points in the consultation document, it is important to include risk assessment so as to assess the assumptions—to work out how sensitive the compliance costs are to the factors in the proposal and to the assumptions made as to how those factors will apply.

I do not want to delay the House, as colleagues may want to speak. If we have the opportunity to use the legislation, we shall set it firmly in the context that I have described. Although the Minister did not accept our amendments, I hope that the Government will stand by not only the undertakings that they have already given—not to introduce large or controversial measures; not to proceed with a regulatory reform—

Mr. Stringer: We have given a commitment not to introduce large and controversial measures—that is an important point.

Mr. Lansley: I beg the Minister's pardon; he is right. Fire safety legislation is large by anybody's measure—it remains to be seen whether it is controversial.

The Government have undertaken not to introduce large and controversial measures; not to proceed with a regulatory reform order in the light of an adverse view from the Deregulation Committee, the Delegated Powers and Deregulation Committee or the Regulatory Reform Committee; and—in the light of our discussions—to proceed through preliminary consultation in a form that is much more geared to the House's scrutiny requirements.

I hope that, even if Ministers will not necessarily give undertakings to that effect, they will none the less continually respond when the legislation is in use, whether it is a Labour or a Conservative Administration that have occasion to do so. I hope that they will simplify legislation and make it more comprehensible. We discussed such an amendment in Committee and sought to do so again on Report, but did not have an opportunity.

I hope that Ministers will ensure that there is the sort of review process that we discussed and that codes of practice, which we have not discussed to any great extent during the passage of the Bill, are in line with the enforcement concordat and with the further recommendations of the better regulation taskforce as time goes by.

I also hope that Ministers will use the powers only in the spirit in which they are intended and always with a substantive deregulatory effect. I hope that they will examine critically the use of the powers if they have benefited the public sector or significantly increased burdens, notwithstanding judgments they may make about desirability.

A strong deregulatory purpose should lie behind the regulatory reform orders that are made. I hope that the legislation will be used for the purpose for which the whole procedure was first created back in 1994.

6.31 pm

Dr. Vincent Cable (Twickenham): I appreciate that it is tempting fate to say that I shall be brief, since every speech this afternoon has started with that preface but lasted half an hour. However, I will be brief, partly because much of the work on the Bill was done by my hon. Friend the Member for Weston-super-Mare (Mr. Cotter), who also sits on the Deregulation Committee. I shall simply summarise our broad approach to the Bill.

From the outset, we have supported the principle of the Bill and we regard it as useful legislation, but we have been somewhat concerned about the constitutional implications. We have attempted to deal with those concerns through amendments, some of which were successful in the other place and some of which were not.

In general, we are probably a little obsessed with the quantity of regulation. Quantity is important—tax complexity, for example, is important in itself—but the real issue is how to get a mechanism for distinguishing between necessary and unnecessary and good and bad regulations. That is the crucial issue with which this reform must deal.

The Minister gave the reasons for the Bill and I do not need to repeat them in detail. Essentially, the 1994 legislation was insufficient in its scope. This legislation will enable batches of related regulations to take effect. Several references have been made to the fire safety regulations—an interesting test case. I am particularly interested in those as I have been involved in the work of the all-party fire safety group and I know about the impatience of fire officers for regulatory reform and an overhaul as quickly as possible.

The second positive point is that, as far as I can gauge, most business federations—the Federation of Small Businesses, the Institute of Directors and the chambers of commerce—despite having some reservations about the Bill, regard it as a welcome signal that is worth supporting.

Some of my hon. Friends' earlier concerns have been met, in particular, through clause 1(3), which was introduced by Lord Goodhart in the other place and built in a commitment that any change should be deregulatory in its effect and therefore help to tackle some of the concerns that have been expressed at considerable length this afternoon that the legislation could be used for re-regulation rather than deregulation.

There are several constitutional concerns. One is the big constitutional issue of the potential for the Bill to be abused. The Minister has just dealt with that with his commitment not to introduce large and controversial measures under the provisos of the legislation. We hope that that commitment will be observed.

We were concerned that there is, perhaps, an undue reliance on ministerial subjectivity in the tests and we hope that the new committee, when it is established—we were not successful in agreeing amendments to deal with this—will apply its own objective test to Ministers' subjective estimates of benefit.

The reporting process is the other important issue that has been referred to at some length this afternoon. The Conservatives are pushing the five-year review, the Minister has his three-year review and in Committee we argued for a one-year review. We hope, in particular on the basis of the intervention of the hon. Member for Burnley (Mr. Pike), that the new committee will take up the spirit of those attempted amendments and report annually to ensure that the Bill achieves its objectives.

My final point is that an awful lot depends not on the letter of the legislation, but on its spirit. We will look for two things to ensure that the Government are committed to the spirit of deregulation, the first of which is how they approach regulatory impact assessments. In commenting on new clause 1, the Conservative spokesman, the hon. Member for South Cambridgeshire (Mr. Lansley), made some useful remarks about how they are abused or not taken sufficiently seriously.

I hope that the Cabinet Office, perhaps with the Government economic service, will produce a paper explaining the methodology of regulatory impact assessment and how it can work consistently, so that it becomes not an empty ritual, but a serious measure not only of the compliance costs of regulation but of its overall economic impact, positive and negative.

The other element of the spirit of the Bill is consultation. Many of the problems with the working time directive, for example, simply arose because Whitehall officials and Ministers did not take sufficient time to talk to business, or even the trade unions, about the way in which the complicated regulations would come into effect. A combination of proper consultation and a rigorous, consistent measure of impact assessment would do much for the spirit of the Bill on top of the formal legislative changes.

6.36 pm

Mr. Owen Paterson (North Shropshire): I should like briefly to deal with the Minister's earlier comments, which were complacent. He made all the right noises, but he and the Government do not understand the crushing burden of the relentless juggernaut of regulation being imposed on business every day. He did not reply to my intervention.

The British Chambers of Commerce has estimated the cost to be £9.62 billion—a huge sum. That has a devastating impact, especially on smaller businesses. Last December, the president of the CBI—the representative of large businesses—said:

"simplification of existing laws is very welcome, but it will not ease concern about the relentless build up of new regulations".

The Minister underestimates how much legislation exists and how difficult it is for smaller businesses to cope with it.

I should like to touch briefly on one new law that will have a most dramatic impact on a sector that is very much in the public mind at the moment. As was said on Report, there is concern in the agricultural sector about the future of small abattoirs. There is not time to mention the impact on the Meat Hygiene Service. What is most interesting in the example that I shall cite is that, through the Food Standards Agency, the Meat Hygiene Service highlighted the dangers of the Restriction on Pithing (England) Regulations 2000, which I mentioned on Report.

Currently, 254 abattoirs—about two thirds of those that still survive the current crushing burden of regulation—use the pithing process. In brief, it involves the insertion of a rod into the brain of a stunned animal to break down its nervous system to stop it kicking. A bullock can cause severe damage in an abattoir—its death throes can maim and kill people. It is a most important process in small abattoirs and it is vital for craft abattoirs. The whole organic meat industry is most concerned that small abattoirs should continue to be locally based near to the sources of livestock to keep production, processing and markets close together. There is a consensus in the countryside that it is a good idea to keep small abattoirs going.

Last year, the president of the Small Abattoir Federation predicted that small butchers will have nowhere to buy their meat and

"it will be a huge social, economic and animal welfare disaster"

if that measure were passed. The federation was told in October that it was likely to come into effect on 1 January, and there were protests in the industry. On 22 February this year, the federation was sent a letter, informing it that the measure would not be applied until 1 April.

The measure was introduced under the negative procedure, laid before Parliament on 20 February and it became law on 1 April. I have talked to the Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart), who has been most sympathetic and understanding.

Mr. Deputy Speaker: Order. The hon. Gentleman's comments are wide of the mark. He must talk about the Bill's contents.

Mr. Paterson: I am aware of that, Mr. Deputy Speaker. I was citing a specific example, because I would like the Minister to tell me whether such a measure could be improved when the Bill becomes law.

A piece of legislation was introduced and the Under-Secretary of State for Health took a real interest in the problem that it created. She took the trouble to go to an abattoir, saw the problem and agreed with the assessment of the Food Standards Agency—the Meat Hygiene Service is often rebuked for over-regulation—that the jobs

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[Mr. Paterson]

of workers in abattoirs could be put at risk and that insurance costs might rise so dramatically that abattoirs could be closed. Unless substantial investment was made, many would not be able to carry on.

The Under-Secretary kindly said that I could bring a delegation to see her but, because of the foot and mouth crisis, sadly no one was free. Despite her sympathy and interest, this small measure, which is hardly known to the rest of the world, became law. However, it will put at risk many craft abattoirs, so will the Minister answer a simple question? Will the Bill improve the chances of minimising the impact of such regulations and will it preserve the small businesses that suffer so much from them?

6.41 pm

Mr. Richard Page (South-West Hertfordshire): It is a matter of regret that, because the debate on new clause 1 went on for so long, my devastating attack on aspects of the Bill that would have been illustrated by my speech on amendment No. 4 was not reached.

Conservative Members welcome anything that will reduce the burdens on business. The Government might be the master of spin, but the substance is starting to wear thin, so we remain to be convinced that the Labour leopard has changed its spots.

When we were in government, the Labour party told us that it would cut red tape and that the better regulation taskforce would deal with all these matters. However, the number of regulations has soared and Lord Haskins is on record as saying that the taskforce has not worked. Reality sits ill with what the Minister said. I leave it to the House to decide whether he or the British Chambers of Commerce is correct when we consider the impact of Government policies on small businesses.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) has illustrated the extreme costs that have hit small businesses over the past four years. A mere handful of regulations have been altered under the Deregulation and Contracting Out Act 1994, but it surely would have been possible for the Government to make the system operate more effectively. They have done nothing, so after four years—and 30 days or so before a general election—they introduce the Bill saying, "We will deregulate; we will save small businesses", but we must ask, "Will they? Will they keep to their word?"

I admit that the Government are saying all the right things about deregulation and the explanatory notes describe the 50 or so areas that can be tackled by being simplified. However, the House and the country should not forget that the Bill is only half the equation. The other half is the sausage machine that turns out regulation after regulation. There is nothing that will stop a vast number of regulations appearing.

I caution everyone against getting too enthusiastic about the Bill. It is larded with phrases that suggest that the Minister's hand is firmly on the deregulation tap, but we must see whether he ensures that the tap operates at full bore or is reluctant to let it rip. The Bill is larded with phrases such as "if it appears to the Minister", "if the Minister considers it appropriate" and "as it appears to him". It is very much in the Minister's hands to control the effectiveness of the Bill.

We should worry about what the Committee was not allowed to change. In particular, I am concerned about the Government's reasons for rejecting our amendments. We asked to reduce the impact of the ministerial hand and to put more power into the two deregulation Committees, but that was refused. We were told that the Minister should have control. In today's long debate on new clause 1, we asked for a five-year review, but he came up with reasons why that would not be a good idea. The truth is that had new clause 1 been successful, it would have given the Committees the power to consider the regulations in sequence every five years, subject them to the provisions of clause 6 and, if necessary, tell the Minister that they should be changed. That would have put the Minister under pressure to deal with them—but no, he wanted to keep the power and control in his hands.

My hon. Friend the Member for South Cambridgeshire moved amendment No. 3, which was grouped with amendment No. 2. They were designed to reduce the way in which the Government can use the Bill to add to burdens on business. Again, our request was refused. The Committee desperately tried to make life easier for the small business man and woman. We wanted the Government to accept an amendment to ensure the use of plain English in regulations. Indeed, the Minister for the Cabinet Office twice assured the House about that on Second Reading. She said:

"We—

the Government—

"have taken active steps to ensure that what regulations are introduced are necessary, simple, and easy to understand and implement."

She went on to tell us that she chairs

"a panel on regulatory accountability whose key task is to scrutinise Departments' regulatory proposals and ensure that they meet that high standard. I call Ministers to come to the panel and justify their proposals if the panel thinks that they do not meet its criteria."—[*Official Report*, 19 March 2001; Vol. 365, c. 23.]

We wanted to help and support her in that task, hence the amendment. The Bill must fall within those parameters. It has 15 clauses and is 11 pages long, but it has taken the regulatory impact unit of the Cabinet Office—the guardian, according to the Minister, of the interests of small business—58 pages and, I estimate, just over 30,000 words to explain its purpose.

I shall resist illustrating my case by working out how many words there are in the Lord's prayer, the creed and the declaration of American independence and ending up with the number of words in the regulatory requirements for the import of caramel, which run to tens of thousands. The fact is that small businesses are visited by inspectors who are experts in their subject. They know everything and expect the small business man to be an expert. That is not fair or right because regulations can be extremely complex.

However, we said "Amen" to the right hon. Lady's words because we thought how right she was, but, despite her assurances, in Committee we ran into a brick wall in the shape of the Parliamentary Secretary. When we argued for plain speaking, he said:

"it is important that the law is precise, even if it is not in plain English."

He went on to claim:

"When people's freedoms, liberty and costs are involved, it is better to be precise than to insist on the objective of plain English, which is a subjective opinion".—[*Official Report, Standing Committee A*, 27 March 2001; c. 31-32.]

I do not accept that we cannot phrase our regulations in plain English. They do not have to be open to a subjective interpretation or contain a series of words that might be misinterpreted or read a different way by the courts. Our businesses require regulations to be short, sharp and clearly understood. If there were more time, I would have liked to bring to the House a pile of incomprehensible regulations that would take hours to read, with no one being any wiser after having done so because they are incredibly complicated. However, time is not on our side.

I shall draw my brief remarks to a close by repeating that the Opposition welcome the Bill, as we welcome anything that will reduce the burdens on business. We recognise that business is the growth engine of our economy, and we want to see it go from strength to strength. However, the proof of the pudding will be in the eating, and I look forward to the Minister implementing the Bill quickly during the few days that he has left in his position. He can rest assured that when we are in power, I shall look forward to my hon. Friend the Member for South Cambridgeshire busily making sure that the Bill is effective, and if he does not work hard at it, I will chase him just as I will chase the Minister.

6.50 pm

Mr. Stringer: With the leave of the House, I shall reply to three points. The hon. Member for South-West Hertfordshire (Mr. Page) has made the same objective analysis of the Conservative party's prospects in the general election as he has of certain provisions in the Bill. I am afraid that despite spending many hours in Committee, he has not understood the importance of the consultation process and the consensual approach of the Deregulation Committee and the Delegated Powers and Deregulation Committee.

The hon. Gentleman talked about the power in the Minister's hands, but the real importance of the supra-affirmative process lies in the fact that the Minister has his or her judgment checked by one of the Committees. If there is no consensus in the Committee, the proposal will return to the Minister. During the seven years in which the Deregulation and Contracting Out Act 1994 has been operating, consensus has always been achieved on the Committee's final decision. Achieving that consensus is much more important than all the safeguards about being proportionate, not removing necessary protection and upholding the freedoms that one could normally expect to enjoy. Those safeguards are important, but in the past the Committees have operated as a significant safeguard, and I expect that they will do so in future. The hon. Gentleman misunderstood that point and underestimated the power of the Committees in the process.

The hon. Member for North Shropshire (Mr. Paterson) asked about pithing. The answer is that it depends entirely on the origin of the regulations. The powers in the Bill are directed at primary legislation, so if the regulations on pithing did not originate in primary legislation, which I understand they did not, the Bill will not apply to them.

I finish on a theme that has run through the debates here and in the other place. There is consensus in the House about the fact that no one wants to place unnecessary regulatory burdens on business, but to have a serious debate about the cost of regulations, it is necessary to define the word "burden". It is not helpful when Opposition Members or organisations representing business mix in with regulatory costs the costs of policy implementation. For example, the cost of implementing the minimum wage—of increasing wages—is not a regulatory cost, and there are almost no such costs associated with the minimum wage. The Government make no apology for improving the conditions of working people in this country.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Prisoners of War (Germany)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

6.55 pm

Dr. Vincent Cable (Twickenham): It is a privilege to introduce this Adjournment debate on a subject that is very different from the one that we have just discussed.

I should start by apologising to the Minister: I have written to him and I know that the normal courtesy would be to wait to receive his reply before proceeding to an Adjournment debate, but we are close to the end of a parliamentary Session and I wanted the issues to be aired in time, especially as time is not on the side of the people on whom the debate focuses.

I raise the subject primarily on behalf of a constituent, Mr. Harding, but the arguments that he would make are extremely similar to the more general arguments advanced by the National Ex-Prisoner of War Association. I have discussed his experiences with Mr. Harding, who is now 83 years old. He served in the early stages of the war and fought in the battle of Calais defending the retreat from Dunkirk in the last-ditch defence of the British troops being evacuated from the beaches. He was captured by the Germans and, after a long and difficult journey, arrived at Stalag 8B, a work camp in Silesia. That part of eastern Europe contained many work camps connected with mines and sugar beet factories; Mr. Harding was employed by Siemens on construction work. In those camps, prisoners of war were expected to work. They worked in what Mr. Harding and people who shared his experiences regard as slave labour conditions.

Mr. Harding is an extremely tough man, with a remarkable spirit for one of his age and experience, but apart from having his health permanently broken, one of the legacies of that experience is an inability to talk about what happened, even 53 years later. However, he discovered that he could set down his experiences on paper, which led to his writing a book called "A Cockney Soldier", in which he describes some of those experiences. His tone is matter of fact and not piteous, and his book is all the more powerful for that. He describes years of malnutrition; working in the extreme cold—sometimes minus 25 deg—without heating or protection; and extremely dangerous conditions of work in which colleagues were mutilated or killed because of the absence of even minimal safeguards.

Mr. Harding also describes what can only be called cruel punishments. In his camp, fainting was regarded as a form of malingering and those who fainted because of malnutrition were punished. One of his friends who could not rise from his bed because of the weakness caused by fever was punished by being locked in a room for three days; he was dead when the door was finally unlocked. I do not want to go into the details, but it is important to establish the facts, because the crux of the argument about the treatment of those former prisoners of war is whether they were looked after within the terms of the Geneva convention.

I appreciate that the concept of compensation has changed to a remarkable extent since the second world war. Compensation is now paid for problems that sometimes appear frivolous. I would not describe stress at work as frivolous, but large compensation payments have been made to people who have suffered experiences that are not remotely comparable to those that were suffered by Mr. Harding and his fellow prisoners of war. I was too young to be called up by the Army, let alone to have served during the war, so I cannot understand the depth of those men's experiences, but they were clearly far more serious than many of the things that we now regard as being worthy of compensation.

How has compensation for POWs been dealt with? There was a welcome breakthrough a few months ago, when the Government accepted the principle of compensation for Japanese POWs.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

Dr. Cable: There was a welcome development when the Government decided to award compensation to Japanese POWs. Two constituents of mine have already received their cheques and are very appreciative; they feel that the campaign was extremely successful, and they welcomed the role that the Government played in it. However, a price was paid. I am not sure why it was felt tactically necessary by those campaigning for Japanese POWs, but they were always at great pains to stress that they were not trying to create a precedent for POWs in Europe. The hon. Member for Walsall, North (Mr. Winnick) spoke on that subject in an Adjournment debate on 6 June. He said:

"I do not accept that such payments"—

for Japanese POWS—

"might lead to other claims by ex-POWs, which, I suspect, has been one reason why the Government have been reluctant to come to a favourable decision and to concede on the issue. What other claims would there be from former POWs? I have no reason to believe those held by the Germans . . . are pressing such claims."—*[Official Report, Westminster Hall,* 6 June 2000; Vol. 351, c. 30WH.]

That is simply not true; prisoners of war held by the Germans have been pressing their claims for some time. A price was therefore paid for achieving victory on behalf of the Japanese POWs.

A parallel development is the establishment of a compensation scheme for forced labourers by the German authorities. In Germany, the principle has been established that German companies that benefited from forced labour should contribute to a compensation fund. That is a rather important philosophical principle, as those companies accepted that the profits earned from forced labour contributed substantially to their ability to invest after the war and their subsequent strengths. They have therefore accepted that they had a clear moral obligation. Compensation is now being paid under that scheme to 1 million former forced labourers, who have each received between £2,000 and £5,000. An international agency for migration is helping all those who were subject to forced labour or slave labour to receive the compensation to which they are entitled under the scheme.

Until recently, POWs were exempt and were not entitled to claim under the scheme, but that has recently been relaxed and POWs are being allowed to claim, provided that they can claim that they were subject to concentration camp conditions, which is a rather narrow criterion that, so far, has excluded most of the British POWs. In some ways, the position is anomalous and

unfortunate, as British POWs working in German forced labour camps now appear to be the only remaining group that has had no recognition at all. Other POWs have been compensated. The Americans have a scheme whereby their POWs are paid the equivalent of $1 or $2.50 a day, depending on the type of work that they did during forced labour in the second world war. The Germans have a scheme for former members of the Wehrmacht.

British POWs, however, have been left at the tender mercy of the benefits system and the disablement compensation system, which have often been extremely severe. They have therefore been left in a singular, exposed position, and considerable ill feeling has resulted. Why have British POWs in Germany been left out? That is the core of the issue. The argument has been advanced—by the Government, previous Governments and the British Legion, which has been ambivalent on the issue—that, unlike the Japanese POWs, those in Germany were subject to the Geneva convention. Of course, POWs themselves regard that as incorrect. Mr. Allan, who leads the National Ex-Prisoner of War Association, confronted that argument and said:

"This is not true and well the MOD and other veteran organisations know this."

It is a matter of considerable debate.

Why were British POWs considered to be subject to the Geneva convention? First, it was believed that prisoners in German camps were not subject to the same degree of brutality as those in Japanese camps. The death rate was certainly lower and it is probably true, on average, that the degree of brutality was less. When we assess the extent to which the spirit of the convention was observed, it comes down to degrees of brutality. Some of the men, including those whom I am representing, experienced extremely brutal conditions, as bad as any in the second world war.

Secondly, the British Government have taken the view that German prisoners who were kept in the UK as prisoners of war were also required to work, and were therefore subject to forced labour. It may be unhelpful to question the position of British POWs in Germany, as we operated a comparable system in the UK. That comes down to an assessment of whether German POWs in the UK were treated with anything like the same degree of severity as British POWs in Germany. Clearly, that is a value judgment and the evidence comes from people who were alive at the time. Without being in any way anti-German or unfair to the Germans, it could plausibly be argued that, qualitatively, there was a big difference in the way in which POWs were treated.

Thirdly, it was argued that British POWs in Germany were paid. They were paid what was called Lagergeld—vouchers that could be exchanged for goods. When one reads the accounts of prisoners at that time, it becomes clear that that was often a mockery. Mr. Harding describes how, in his camp, he would present Lagergeld at the counters of the so-called shop, and he would be offered women's hair nets or razor blades without razors. It was used as a wind-up—an insult. It was not exchange in any meaningful sense.

Many of the men had Lagergeld that was worthless and could not be exchanged. They were not paid in any meaningful sense. They suffered the double indignity and the double financial disadvantage that their pay was docked in the UK, because it was assumed that the German authorities were paying them. The National Ex-Prisoner of War Association has asserted that the British Government were paid about £1 million at the end of the second world war by the Germans in lieu of the discrepancy between the payments. That payment was never made to the prisoners of war; it was simply absorbed in the Treasury. The association calculates that at present prices, that represents a loss of £120 million. The matter could usefully be investigated.

Many of the prisoners of war who were subject to that experience felt that they were shafted by the Geneva convention. The convention has been used as a pretext for not offering them the recognition and compensation that they deserve. Many of them blame successive British Governments for the failure to take their case sufficiently seriously.

In conclusion, I ask the Minister whether anything can be done at this stage. I realise that very few of the men are left alive, and probably not many of them are in a fit state to enjoy any compensation, should they receive it. We are speaking of very small numbers of people and very small sums of money. It is no longer a Treasury issue, but an issue of recognition, dignity and compensating people for real inhumanity. That is the spirit of it. I suspect that there is probably no more than one former POW in any constituency, so it is not a big political issue, but it is important for it to be recognised.

I suggest two ways in which the Minister may be able to help us forward. The first would be for him to examine with the Germans, not in an acrimonious or accusatory manner, the way in which their POW compensation scheme is operating, and for him to make the case to them that many of the British POWs could be helped to apply under that scheme. Through the good offices of the Foreign Office and the Minister, it may be possible to make progress in that direction.

The Under-Secretary could also pursue the matter without involving the Germans simply by treating the problem as a purely British one. On that basis, he could consider the issue of pay that was docked during the second world war but was never paid to the men. I do not know whether it was absorbed by the Treasury or what happened in the fiscal arrangements of 1945, but an injustice was clearly done. Purely at a UK level, some recompense and recognition could be given to the men in view of what occurred, so I ask him to consider as sympathetically as he can this dwindling but symbolically very important group of men.

7.10 pm

Mr. Andrew Mackinlay (Thurrock): I thank the hon. Member for Twickenham (Dr. Cable) and the Under-Secretary of State for Defence, my hon. Friend the Member for Kirkcaldy (Dr. Moonie), for their courtesy in allowing me to say a few words.

When I heard the introductory remarks of the hon. Member for Twickenham, I rushed to the Chamber. As he said, the subject of the debate relates to his constituent, but I suppose that it relates also to a few hundred other British ex-service men, one of whom I represent. John Stevens was in the Royal Navy and went down with HMS Gloucester off Crete, during the battle of Crete. I followed with him many a time the traumatic march that he made across Europe in appalling circumstances. He eventually ended up in the Farben chemical works, which was situated on the Auschwitz campus. He endured precisely the same problems as the hon. Gentleman described in relation to his constituent.

[Mr. Andrew Mackinlay]

It has troubled me to know that, before I was a Member of Parliament, John Stevens exhaustively raised the matter with my predecessors, although I do not criticise their stewardship of it. I think that the problem was also raised with Malcolm Rifkind, among others, and that no satisfaction was gained.

I speak only to buttress what the hon. Gentleman has said. I hope that my hon. Friend the Under-Secretary will assure us that he will revisit the issue. No doubt, he has his brief, but I hope that he will be prepared to indicate to the men that he is prepared to consider them again, perhaps individually. The conditions of my constituent's imprisonment and those of the hon. Gentleman's constituent demonstrably did not fit in with the Geneva convention. It simply did not happen. He is now a very sick man. I hope that, in view of what has been said, my hon. Friend will be prepared to consider the broad picture, as well as the position of my constituent and that of the hon. Member for Twickenham.

7.12 pm

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I congratulate the hon. Member for Twickenham (Dr. Cable) on securing this debate on behalf of his constituent. I was, of course, happy to hear the contribution of my hon. Friend the Member for Thurrock (Mr. Mackinlay).

The question of compensation for those held as prisoners of war is a matter in which a number of Departments are concerned. My reply will cover issues that also fall within the areas of responsibility of my colleagues, particularly at the Foreign and Commonwealth Office and at the Department of Social Security.

Attention in the House has recently focused almost exclusively on the circumstances surrounding the experiences of our service men who were detained in Japanese hands during the second world war—a matter that we addressed in detail last November. That discussion is recorded at columns 157 to 190 of the *Official Report* for 7 November 2000, when I announced the Government's decision to make an ex gratia payment in recognition of the collective experience of these men while they were detained.

In the European and middle eastern theatres, the reverses of the early years of the war—in particular, the campaign in France and Flanders in 1940 and the later defeats in Greece, Crete and the western desert—resulted in a considerable number of our service men becoming prisoners of war of the Germans and their Italian partners. When Italy surrendered to the allies in the autumn of 1943, although some of our service men were able to escape from captivity and rejoin our forces as they advanced, many more were quickly detained by the German troops in Italy and then moved to camps in Germany and elsewhere in areas under German control.

Although the tide of war had swung decisively in the allies' favour, there were still instances, most notably after Arnhem, when a considerable number of British service men became prisoners of war, so that by the end of the war, a total of 142,319 British service men had been reported as detained at some stage by the Germans or their Italian partners.

As I said in my statement to the House last November:

"The Government recognise that many UK citizens, both those serving in the armed forces and civilians, have had to endure great hardship at different times and in different circumstances".—[*Official Report*, 7 November 2000; Vol. 356, c. 160.]

I would like to repeat that comment now and apply it specifically to our service men detained in German hands. It is clear from personal accounts and the official records that conditions for those detained by the Germans were often less than ideal. That is especially true of those who were still prisoners of war in the last winter and spring of the war, when the breakdown in the German administrative system, the Germans' enforced movement of prisoners of war away from the advancing allied forces to prevent their liberation, the rigours of the weather and the dangers of the ever-nearing battlefield, made that a particularly hard experience.

However, unlike civilian labourers who were conscripted or otherwise brought into the German labour scheme, the treatment of British service men detained as prisoners of war was protected: it was governed by the 1929 Geneva convention on the treatment of prisoners of war, to which Germany was a signatory.

I want to expand on the terms of the Geneva convention because important aspects are sometimes overlooked when that subject, especially the aspect of work for the captor, is considered. Under the 1929 Geneva convention, which was in force during the second world war, prisoners of war of other ranks were obliged to undertake work for their captors; the latter were usually called the "detaining power." The convention required that the work should not be directly related to warlike or military activity. However, many other types of work, including mining and work in quarries, were permissible. Almost all the belligerent powers, including Britain and the USA, made use of that facility, and put enemy personnel held as prisoners of war to work on a range of tasks.

I know that many prisoners of war were, and remain unhappy about some of the tasks they had to carry out and their general conditions. However, the report on prisoner of war matters, which the Foreign Office produced in 1950, concluded that,

"there were few, if any, really clear breaches"

of the Geneva convention relating to the employment of British prisoners of war in unhealthy and dangerous work.

Although there were clearly instances of conditions in individual camps or working detachments that were less than ideal, through lack of facilities or because of the attitude of the guards or civilian overseers, those working detachments and camps were subject to inspection by both the neutral protecting power, Switzerland, and the International Red Cross. Those inspections meant that improper treatment or lack of proper facilities did not escape notice, censure and demands for remedial action wherever possible.

The contemporary reports of those inspecting teams demonstrate that they were able to talk at first hand with the POWs' "man of confidence", medical officers or personnel to verify their perspective on the state of affairs against that put forward by the detaining power. Further, on re-inspecting various locations, improvements could often be seen in areas highlighted in earlier reports.

Some former prisoners of war also raise the issue of the inadequacy of their rations. It is accepted that the rations provided by the Germans were based on the lower level

of those of a German civilian rather than that of their soldiers and, as the war turned against Germany, the quality of foodstuffs became even poorer.

However, steps were taken to ensure that, while detained, British service men received Red Cross parcels of food and other "comforts" from the UK, which were valuable additions to the sometimes limited rations provided by the enemy. The Government played their part in supporting the Red Cross in that activity, while ensuring that they did nothing to encourage the Germans to evade their responsibilities under the convention to feed the prisoners of war by relying on the provision of such foodstuffs by Britain and its allies.

Of course, while detained, British service men continued to receive their service pay from the British Government, usually credited to their home pay account. When they carried out work for the detaining power outside their military skills, as required by the Geneva convention, they were entitled to a certain amount of "working pay" from the Germans. In general, it is clear from contemporary records that that requirement was met by the Germans, the pay usually being credited to the prisoner of war working camp account or issued as camp money, the so-called Lagergeld. Any remaining credit balance in this German account was redeemable from the British authorities on the POWs' repatriation at the end of the war.

It would be wrong for me to suggest that the scheme of inspections by the protecting power and the Red Cross, coupled with protests from Britain, were able to remedy all the shortcomings of the Germans' treatment of our service men at their hands. However, it is clear from the contemporary reports by the protecting power and the Red Cross who visited POW camps, including POW working detachments, that the conditions in such camps in the European theatre and the general treatment of British and Commonwealth POWs in such circumstances were in no way comparable to those of civilian personnel who were forced by the Germans to undertake labour tasks, and clearly in no way comparable to that of slave labourers in the German concentration camps and their outlying work camps.

That view is supported not only by the contemporary reports from the inspection teams and from debriefings of our ex-prisoners of war, but by the hearings of one of the allied war crimes courts which considered the matter of the treatment of labourers at the IG Farben factory near Auschwitz. A POW working detachment, held in a routine POW working camp, also worked in the factory area. This brought the prisoners of war into contact with slave workers from the Nazi concentration camp nearby at Auschwitz. However, the court having heard the evidence, including testimony from ex-prisoners of war, found that the British POWs were generally treated better than other workers in all respects. *[Interruption.]* I accept that that does not mean that they were treated well. However, they were treated differently and in a different order from civilians or detainees in a concentration camp.

During the Nazi regime and the second world war, approximately 8 million people in German-controlled territory were subjected to forced labour under, for the most part, inhumane conditions. The German Government and German companies who used such labour have therefore created a new fund to compensate such individuals. Claims by former slave and forced labourers now living in the United Kingdom are being administered by the International Organisation for Migration.

The British service men detained by the Germans do not fall within the category of slave labourers, and the German authorities have made it clear that former prisoners of war do not qualify under the German forced labour compensation fund. While we accept that as a general point for the reasons that I have explained, we would not consider that claims could not be presented by British service personnel, but it would be remiss of me to encourage the belief that they might succeed. I would add that a small number of British service men detained in Nazi concentration camps received compensation under a special fund paid for by the Germans in the 1960s to victims of Nazi ideology.

The Geneva convention itself did not specify any penalties on the detaining power for ill-treatment of prisoners of war or the imposition of bad conditions. We in the United Kingdom sought to address and deter ill-treatment and actions that clearly and wilfully breached the conventions and that broke the laws of war by bringing the individuals thought to be responsible to justice before war crimes courts.

Further, as hon. Members will recall, it has been the long-standing policy of successive British Administrations not to compensate service men for the fact of detention as a prisoner of war, but rather to seek to help them through war disability pensions and appropriate health care where their health has suffered as a result of military service, which includes any period spent as a POW.

I must remind hon. Members, as I told the House in November, that we believe that it is generally accepted that while endorsing this policy, the collective experience of those of our service men who were detained by the Japanese during the second world war was unique. That is reflected in the fact that about 25 per cent. of those prisoners of war in Japanese hands died while in captivity. I am happy to say, while not in any war minimising the anguish and problems of captivity, that the equivalent death rate for those detained in European camps in the second world war was about 5 per cent.

It is because of the uniqueness of these circumstances that we instituted the ex gratia payment for British groups formerly detained by the Japanese which I announced last year. I regret to say that we have, however, no plans to make any such payment to former prisoners of war from other theatres from the second world war or from other wars.

I am sorry that I cannot be more helpful to the hon. Member for Twickenham. He has raised his constituent's point with great passion and sincerity. If I was presented with any new evidence, I would be very happy to consider it. Indeed, because of the interest in such historical matters, I frequently study such issues. My hon. Friend the Member for Thurrock quite rightly points out that there is great interest in such matters, and—who knows?—someone might turn something up. However, the record stands that this was very carefully looked into during the contemporary period immediately after the war, and I see no reason to change that position at present.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes past Seven o'clock.

House of Commons

Friday 6 April 2001

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Children's Rights Commissioner Bill

Order for Second Reading read.

9.33 am

Mr. Hilton Dawson (Lancaster and Wyre): I beg to move, That the Bill be now read a Second time.

It is a privilege to support the Bill. It is not mine—I did not write it—so I can say that I regard it as a great Bill. It is about the protection of children, which is vital in itself, but it is also about our democracy and how we use a great international agreement—the United Nations convention on the rights of the child—and bring it alive in this country.

The Bill invites us to change the way in which we consider children and calls on us to stop viewing them as the passive object of our concern, to invite their participation, to value their point of view, to promote their human rights and to recognise our duties towards them. If anyone should doubt the importance of that, let them contemplate the shocking fact that one or two children are murdered every fortnight in this country, almost always by a close family member.

We need to counter that shocking statistic in all sorts of ways, not least by paying child protection workers a lot more, but the debate is about more than that: it is about whether we need to think about children differently and give them far more prominence. By definition, children are powerless, because they have no vote. Usually, that means that they also have no voice—but the Bill can allow them to be heard and give them a presence where it matters.

The Bill is widely supported. Last year, every Member of Parliament must have felt the power of the National Society for the Prevention of Cruelty to Children campaign, with thousands of constituents supporting the measure when it was a ten-minute Bill.

Mr. Eric Forth (Bromley and Chislehurst): I am always curious when an hon. Member claims that a Bill has "wide support". How much support does the hon. Gentleman estimate that the Bill has here today?

Mr. Dawson: I will come to that in a minute.

Any serious observer of the progress of work on children's rights over the four years of this Government, and anyone who participated in the debates on the Children's Commissioner for Wales Bill, will be aware of the support for these measures. We regularly see in our post that many people are concerned about this issue.

Mr. Forth: Where are they?

Mr. Dawson: The Bill has well over 100 Back-Bench supporters in the House, who regularly sign early-day motions.

Mr. Forth: Where are they?

Mr. Dawson: We all know how easily the Children's Commissioner for Wales Bill passed through the House only a few weeks ago.

Mr. Forth: Yes, but where are they?

Mr. Dawson: Perhaps the right hon. Gentleman, who is so rudely setting a poor example by his barracking, would like to note the presence in the Gallery of young people from Article 12, the British Youth Council—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. The right hon. Member for Bromley and Chislehurst (Mr. Forth) must stop making sedentary interventions—he has made his point, I think—and the hon. Member for Lancaster and Wyre (Mr. Dawson) should be aware that we do not refer to people in the Gallery.

Mr. Dawson: Thank you, Mr. Deputy Speaker. Anyone who wants to join me later to meet some fine young people will be extremely welcome—including the right hon. Gentleman.

Many Members are not here today—let us deal with this point before it is laboured any further—because of unbreakable commitments made when they perhaps thought that the county council elections were going to be high on the agenda. I have had many apologies, in particular from my hon. Friend the Member for Wakefield (Mr. Hinchliffe), who has supported the concept of a children's rights commissioner for many years. My hon. Friend the Member for Stourbridge (Ms Shipley), who came to see the importance of this measure through her private Member's Bill, which became the Protection of Children Act 1999, has also been a good supporter of this measure.

Everyone—with perhaps one solitary exception—knows that this is a good, important, worthy and timely Bill. It is time for children's voices to be heard and their rights recognised. I would like to thank Peter Newell—who wrote the Bill—Unicef, the NSPCC, Save the Children Fund, all the children's organisations that support the Bill, Article 12 and the young people who are here today. There is one young people's organisation that glories in the name Young and Powerful. Who in this House would not want to be young and powerful?

Mr. Edward Leigh (Gainsborough): The hon. Gentleman said a moment ago that, with one exception, everybody supported the Bill. I am not sure whether that is entirely correct. Will the Government facilitate the passage of the Bill by proposing short speeches to ensure that it gets a Second Reading and rushes through Committee as quickly as possible?

Mr. Dawson: That is a matter for the Government, rather than me.

Above all, I wish to thank young people from the Lancashire In Care group—lots of whom will be parents themselves now—who, 14 years ago, said to me that a children's rights commissioner was needed to make sure that the UN convention on the rights of the child really worked. That is the whole thing in a nutshell. I could stop speaking now, but I will not. Some young and powerful people have got a lot older waiting for the Bill and it is time we started to put that right.

We should acknowledge that the Government have been good for children. The pledge to end child poverty in a generation is inspiring. The working families tax credit, the children's tax credit, the children's fund and economic and employment policies to help families lift themselves out of poverty will improve the lives of millions. On a smaller scale—but one where needs are perhaps most acute with regard to children in care—there has been major investment, a commitment to children's rights and quality services, new legislation for those leaving care and better fostering and adoption services. The work of the Government is transforming what was a shoddy and sometimes horrific disgrace of a system into a decent and proper system for children living away from home.

So much more could be described, but one other initiative should be emphasised. Last July, the Government announced their decision to establish a Cabinet Committee on children and young people's services and a children and young people's unit, as well as the appointment of a Minister for young people. In November, we had the launch of the children and young person's unit, whose remit includes developing, refining and communicating the Government's overarching strategy for children and young people. That is first class; it is joined-up policy for all the 11.3 million children under 18 in England. Good joined-up policy for those children is exactly what the children's rights commissioner will be setting out to promote.

I am sorry to say this because it will appear rude, and I certainly do not wish to be rude to the Minister, my hon. Friend the Member for Barrow and Furness (Mr. Hutton). I am second to no one in my admiration of my hon. Friend's work; he has ably and determinedly piloted fine legislation to establish a children's rights director for 58,000 children in care and many others living away from home. However, he is not the Minister with responsibility for 11.3 million children living in England; he is not the Minister with responsibility for young people; and he is definitely not the Minister of State, Home Office, my right hon. Friend the Member for Brent, South (Mr. Boateng). The absence of the Minister with responsibility for young people from a debate that is essentially about assessing the impact of policy on all young people, and about involving all young people in developing the overarching framework for all young people, points to the real problem in what I anticipate will be the response to today's debate.

The fact that the reply will come from the Department of Health, rather than from the children and young people's unit, points to a crucial misunderstanding of something that we need to get right. The independent office of children's rights commissioner is a service for all children, not just those especially needy children who are looked after by the state.

Mr. Forth: Does the hon. Gentleman think that the absence of the Minister of State, Home Office might give us a clue as to the enthusiasm or otherwise of the Government for the Bill? What does he propose to do to try to persuade the Government to support his Bill? Has he had any contact with the Government to establish their attitude to the Bill?

Mr. Dawson: I am well aware of the right hon. Gentleman's enthusiasm for children's rights, democracy and citizenship. If he bears his impatience for a little longer, he will hear my answer to his questions.

No one will ever convince me that the Government, who are so good on so many things, are good at presentation. One of the more bonkers assertions of the Conservative party is that new Labour is all spin and no substance. In the Children's Commissioner for Wales, we see a post that even this week is beginning more and more to resemble the one set out in this Bill. Even in the wake of the Waterhouse report, the Government initially set themselves against the key recommendations to establish a children's commissioner arguing that it was enough to have a children's rights director for children living away from home.

Subsequently, we had the most welcome proposals for the Children's Commissioner for Wales. However, all through every stage of the legislation in the Commons, the Government resisted calls to ensure that the Welsh commissioner should have a remit that included all services for children and which brought in all children receiving services. Last Tuesday, in Committee in another place, the Government agreed to table amendments to extend the role of the commissioner in ways advocated by others for months. Wales now has a substantial post, but we are left with the feeling that this has been dragged from the Government little by little, when they could have done it properly in the first place and, with some justification, milked the applause for the last 12 months. That is a substantial achievement but, frankly, it is hopeless public relations.

We should take a careful look at the Bill, which appears to make Ministers and their civil servants so timid. The independent children's rights commissioner for England would be known, at least by face, name and contact details, to every child in England. The commissioner would be the backstop, sweeper or guarantor when systems designed to protect children went wrong. He would not replace child protection procedures, but could be approached if they were not working. He would not remove the responsibility of local education authorities and schools to have effective anti-bullying policies, but could be involved if problems arose. He would not take work from the ombudsman—or any ombudsman—but would probably increase that work because he would make that person work better for children.

The commissioner certainly would not take away the need for organisations such as Childline; he would probably have to link effectively with Childline to provide a good telephone service and, no doubt, to develop a good e-mail service. He would not provide some bureaucratic, centralised complaints service, but would pass problems

efficiently to someone who could help. Who could deny the importance of that role? The gaps between existing services and the places where no one is listening to children are where they can literally die.

The independent commissioner would promote the participation of children in the issues that affect their lives—in school councils, young people's forums, advocacy groups, community groups, and groups at a regional and national level. There is a requirement on the recently established children's fund to support projects that originate from young people.

This proposal is a basic matter of citizenship. Listening to young people and enabling them to take action for themselves should be a key requirement on anyone who works with children. That is part of our international commitment under article 12 of the United Nations convention on the rights of the child. Some people may deny the importance of listening to children and young people, but surely not the Department of Health, which has pioneered the involvement of young people in working parties and in the work of Whitehall and surely not anyone in the House who has met young people at the all-party group for children in care, who has been involved in the establishment of a United Kingdom Youth Parliament, who supports the Government's investment in a national voice for looked-after children, or who has taken part in Unicef's annual "Put it to your MP" day. They will have learned what I was well taught by young people 14 years ago: that children and young people know what they are talking about. They have knowledge of issues that Members of Parliament do not have, because they are closer to the problems or on the receiving end. They have a fresh perspective and insights that are to be valued and used.

The roof of the House has not yet fallen in, despite the fact that I have often echoed those sentiments, and nor will it if I contend that the real problem for Governments, of any persuasion, and their civil servants is that a children's rights commissioner for England would be an independent and challenging post. As the commissioner would have contact with the new voices of children and young people, and would give a voice to the powerless, they might just be radical, independent, challenging and at the heart of government and Whitehall. The walls are still not collapsing around us, and I do not think that they will.

The powerful post of commissioner would be at the heart of policy making, in regular contact with children and young people, working to the United Nations convention on the rights of the child, producing an annual report on the state of England's children, preparing statements on the possible impact of new legislation on children, investigating matters of serious concern, reporting on the impact of policy on children, linking with other commissioners in the UK and abroad, and reporting to the United Nations Committee on the Rights of the Child. The person would challenge even a good Government over some policies, such as those that give children less legal protection from physical assault than adults, or deny looked-after children the benefits of new leaving care legislation because they happen to be unaccompanied asylum seekers and their position is not yet resolved.

This has been a good Government for children, but they will be an even greater one if they dare to embrace the establishment of an independent children's rights commissioner, linking with the Children's Commissioner for Wales and with the commissioners who are on their way in Scotland and Northern Ireland. Devolution is fine, but if we are not careful we will get left behind as those countries develop their own children's rights provision.

Mr. David Heath (Somerton and Frome): I agree with every word that the hon. Gentleman has said. Can he see any logical reason why England is intrinsically different from the other nations of the United Kingdom in this respect? What is the logic behind the Government's position?

Mr. Dawson: I am afraid that I cannot see any logic in the Government's position, and that is the whole gist of my speech. I sincerely hope that the Government will come to the logical conclusion that the Bill must be supported.

Mr. Steve McCabe (Birmingham, Hall Green): I do not want to introduce a tone of dissent, but does my hon. Friend accept that the complex and varied legal differences between Scotland and England on the age of consent is a clear distinction that may explain a different approach?

Mr. Dawson: No, I am sorry, but I do not. It is essential to have commissioners for children in those countries, and I applaud what is happening in Wales and what is on the way in Northern Ireland and down the road in Scotland. We plainly need linked offices so that people work together on issues that arise in those countries. As a patriotic person—I am sure there are a few patriots present—I do not think that England should be left behind.

I am mystified by the Government's approach, given that they are profoundly conscious of human rights. They have established the Disability Rights Commission, and have done great work on equal opportunities and race relations. I cannot understand why they are not keener to promote the independent advocacy of children's rights.

I suspect that some Members are worried about the impact of a children's rights commissioner, both on parents and family life. During the debate on the Welsh commissioner here and in the other place, Opposition Members tried to justify support for a children's commissioner who has nothing to do with ordinary families. That is plain daft. We should face that issue and deal with it properly.

Ordinary, decent parents have nothing to fear from a UN convention on the rights of the child that is compatible with the Children Act 1989 and emphasises that all decisions taken in respect of a child should be in the best interests of that child. The convention respects the rights, responsibilities and duties of parents. It expects, as far as possible, children to be cared for by their parents, recognises a right to family relationships, the right not to be separated from parents except by judicial determination and the right to family reunification.

What decent, ordinary parent would wish to deny the child the right to education, to play, or to freedom of expression, thought and religion? What decent, ordinary parent cannot bear to be challenged by the bright, new clamour of their young people who are finding their voice

[Mr. Dawson]

and trying it out? Decent, ordinary parents or a good Government who aim to do their best for children have nothing to fear from, and everything to support in the Bill.

It would be good, proper, fair and just to support the Bill. It would be the finest thing to give it resounding support in double quick time to get it through all its stages in whatever time we have left in this Parliament. Whether or not the Bill goes much further, support today would send a signal. It would flag up a proposal for the manifesto and would give a clear message not only to 11.3 million children, but to their parents, relatives, friends, carers, teachers, social workers and children's campaigners—all those people with all those lovely votes—that the war of attrition, which is winning the day and will not go away, is at an end. I hope that the Government will establish a profoundly important, exciting, popular and challengingly independent office in the first few months of what the Bill could help to make a great second term. If they do not, we shall carry on fighting. Our cause is right, and it will eventually win the day. I hope that every Member present will support the Bill on Second Reading.

10 am

Mr. Martin Bell (Tatton): I shall speak briefly in support of the Bill and of the hon. Member for Lancaster and Wyre (Mr. Dawson). I regret that so many of the Bill's supporters are not here. In my view, they should have been.

Mr. Forth: Ah!

Mr. Bell: The Bill's opponents, of course, have every right to be here.

I cannot see that electioneering is much of an alibi for the Bill's supporters. We are here to make a difference. Politics is conducted not for its own sake, but for reasons. One such reason should be the effort to make less worse, where we can, the lives of those whom we represent. That includes children. The hon. Member for Lancaster and Wyre and I have seen the conditions in which children live and suffer in many parts of the world, including Burundi. At home, too, however, there is neglect and deprivation. Here, too, children's childhoods are stolen. I see a real need for a children's ombudsman.

Should I decide to seek another term of office in this House, I shall, unfortunately, be opposed by a candidate from the hon. Gentleman's party, but I wish the hon. Gentleman well and hope that he is returned here. I see no possibility of the Bill reaching the statute book at present, but it is a good and worthy cause and I hope that the hon. Gentleman will be in the next Parliament to carry it forward.

10.1 am

Mrs. Llin Golding (Newcastle-under-Lyme): I must first declare several interests. I am a trustee of the National Society for the Prevention of Cruelty to Children, of a children's charity called Safe and of a children's fishing charity called Second Chance. Indeed, I had very much hoped to be fishing today: the delay in the election has kept me in the House to speak on this important Bill.

All our children deserve support and help, but some need it more than others, and some need it desperately. Usually, it does not seem nearly 15 years since I came to this House, but when I think of how attitudes towards children have changed, it seems more like a lifetime. Almost my first vote in Parliament was to ban the caning of children in schools. We won it by one vote, and I have often thought that if my by-election had been held a couple of weeks later than it was, children would still be caned in our schools. That was a barbaric practice.

When I came to Parliament, I knew nothing about the law. My Whips, as is their way, naturally put me on the Committee for a criminal justice Bill. It was there that my campaign for justice for children began. I discovered that children had virtually no right to be heard in our courts. In every criminal justice Bill thereafter, we took another step forward—on video links, the use of screens, evidence of absent children, competency, the swearing of the oath, corroboration of evidence and committal hearings. There was so much to change, and so much was changed.

The rights of children to be heard in our courts were hard fought for by many stubbornly determined Members of both Houses of Parliament. As I look back across the years, it seems incredible that we had to fight so hard for things that are accepted these days as only right and just. When we look back in a few years time, might we not think the same about a children's commissioner?

The United Nations convention on the rights of the child, ratified by the United Kingdom in 1991, and the Children Act 1989 are two of the most important statements that affect attitudes towards children. Having made those statements, and highlighted our responsibilities, Parliament has maintained its commitment to improving children's lives. There has been legislation, including the Children (Leaving Care) Act 2000, the Carers and Disabled Children Act 2000 and the Protection of Children Act 1999. There have been projects such as health action zones and sure start programmes, and money for our schools to improve the education of many neglected children.

There has also been much more cross-departmental co-ordination, and no one can deny the hard work put in by Ministers on the rights of children and on doing something more positive for children than any previous Government have done. The commitment of the Labour party to eliminate child poverty must be welcomed by all, for we all pay the cost of child poverty—the greatest single threat to the health and future well-being of our children.

There is, however, one commitment that we have not yet had from this, or any, Government—a commitment to a children's commissioner. We need a person whose sole duties are to speak out for children and influence legislation that affects them. Some years ago, when I spoke for children on the Opposition Front Bench, I raised many subjects that cut across Departments—children's play in safety, provision for children in hospital, bullying, residential care, child prostitution, runaways, adoption, accidents in the home, diet, food safety, punishment for children and child abuse. There was so much to consider and to report on, but no individual was in charge.

The Bill promoted by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) fills that wide gap. There are many kinds of children's commissioner, and the recently published "Review of Effective Government

Structures for Children 2001", by those long-time fighters for children, Peter Newell and Rachel Hodgkin, should be required reading for us all. They recommend that a children's rights commissioner for England should be established with legal powers and duties appropriate to enable the office to monitor, promote and protect children's human rights. I could not put the case any better than that.

Among the many useful jobs that a commissioner could do, one of the most important would be to reach out to children through television, to let children know that he or she was there for them and that their voice, their fears and their hopes were being listened to, not ignored. I like the idea of a warm, friendly, Father Christmas-type commissioner—though we must have him or her all the year round.

The Government—our Government and our children's Government—can make a real and lasting difference to the way in which legislation affects the lives of all our people, now and in future. The Bill shows the way. It deserves our most urgent and total support. I congratulate my hon. Friend on bringing it before us.

10.8 am

Mr. Edward Leigh (Gainsborough): It is a convention of the House that one should congratulate an hon. Member on coming high in the ballot, and I congratulate the hon. Member for Lancaster and Wyre (Mr. Dawson) not only on that but on his commitment to his Bill and on his Second Reading speech.

I am afraid, however, that I cannot support the Bill. I hope that hon. Members will accept that, as a father, I am totally committed to looking after children properly. They should be loved and cared for. I hold in profound contempt, those who abuse and mistreat children and I strongly believe that they should be subject to the full rigour of the law. I served for a year on the child care commission convened by the right hon. Member for Camberwell and Peckham (Ms Harman). I listened to the arguments—with, I hope, an open mind—and tried to move the debate forward so that we could help children in a consensual way.

None the less, I have grave doubts about the Bill, which I shall share with the House. It is too blunt an instrument, which is why, I suspect, the Government are worried about it. The House should be aware of four aspects in particular. First, contrary to what the hon. Member for Lancaster and Wyre said when he attempted to address the point, there is a possibility that the Bill will infringe the rights of parents. Those rights were discussed in the other place on 3 April, during consideration in Committee of the Children's Commissioner for Wales Bill. Lady Young and many others made passing reference to such issues. I know that if the present Bill goes into Standing Committee, the details can be considered and amended, but I am worried that, as drafted, it does not state that particular regard should be given to the rights or responsibilities of any parent or guardian who is affected by the actions of the commissioner. That is an important matter.

Mrs. Claire Curtis-Thomas (Crosby): Would the hon. Gentleman be kind enough to state in which clause the rights of parents are specifically ignored?

Mr. Leigh: The rights of parents are not specifically ignored by the Bill. As the hon. Member for Lancaster and Wyre made clear, no one would introduce a Bill that stated specifically that the rights of parents would be ignored. I fully accept that a commissioner would not, on day one, invade the rights of good parents—that point is well taken. However, the fact is that there are infinite grey areas and in the unlikely event of the Bill becoming law, I fear that cases would arise that caused a commissioner, for any one of several reasons, to start to interfere in family life. I believe that if the Bill becomes law, an amendment must be made that is similar to the one that was proposed in the House of Lords to the Children's Commissioner for Wales Bill, which would specifically ensure that particular regard was accorded to the rights and responsibilities of parents.

Mr. Mark Todd (South Derbyshire): Will the hon. Gentleman give an example of what he means by interference in the rights of parents and families?

Mr. Leigh: There is a good example. Let us say that a parent believes that he has the right to chastise his child, which is a controversial matter—many Members of Parliament believe that parents should not be able to slap their children—and that it becomes a more pressing issue. If the Bill were passed, the commissioner would be able to intervene in the case of a parent who chastised his child. I agree that the issue is controversial and I accept that there might come a time when Parliament, on a free vote, decides to prevent children from being slapped by their parents. I would not vote for it, but I recognise that there are some who might promote such a Bill, and if Parliament in its wisdom so decides—as it decided, against my wishes and despite my voting against it, to end corporal punishment in schools—I would accept that decision as one that had been freely taken by a free Parliament. However, I would not accept the creation of the post of a commissioner who could try to advance that process, which I believe will become a real possibility if the Bill is passed as drafted.

The hon. Member for South Derbyshire (Mr. Todd) asked for an example and I have given one of the first of four areas that cause me and many others concern. If a serious proposal is made to get the Bill or one like it on the statute book, we have to get it right. The Minister must give an assurance that his support for the Bill, either now or in future, is conditional on our having a serious debate on the rights of parents.

My second concern is that the taxpayer might be asked to fund the children's rights movement through the provision of a commissioner. The Bill is supported by a long list of organisations, including Epoch—End Physical Punishment of Children—the National Children's Bureau, Antidote, the Campaign for Emotional Literacy, the Council for Education in World Citizenship, the International Association for the Child's Rights to Play, Barnardos, the National Society for the Prevention of Cruelty to Children and Stonewall. The Bill makes provision in clause 9(1)(d) for the commissioner to hand out taxpayers' money to

"give financial or other assistance to any organisation for the purpose of encouraging the promotion by children of the interests of children."

It is common for children's rights groups to promote their agenda by setting up groups that are said to be run by children for children. Some such groups may be worth while and others may promote views that I would not

[Mr. Leigh]

support—but I am not persuaded that we should pass a Bill that would open the door to a considerable increase in public funding of those lobbying groups.

My third concern is about the power to litigate. The House should be aware that the Bill is wide-ranging and has the potential to make a considerable impact. It is not just some little Friday-morning Bill of the sort that often wends its way gradually through the legislative process, which most people think is fairly harmless, and which is opposed by few—perhaps only by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). It is a serious and important Bill that provides a power to litigate. Clause 10 gives the commissioner an extraordinarily wide power to interfere

"Where the Commissioner considers it necessary or expedient . . . in any legal proceedings".

Clause 9(1)(b) empowers the commissioner to arrange legal representation on behalf of a child. Together, those powers raise the prospect of wide-scale legal interference, potentially with parental rights. Other bodies concerned with children, especially schools, might also find themselves on the receiving end of litigation that is conducted or financed by the commissioner at taxpayers' expense.

Mr. Dawson: Does the hon. Gentleman recognise that in the Children Act 1989, the Government of whom he was a member abolished the concept of parental rights and replaced it with that of parental responsibility?

Mr. Leigh: To be honest, I was not aware of that, but I cannot believe that anything done by the Conservative Government whom I supported would have seriously compromised the rights and responsibilities of parents.

A series of Acts dating back more than 100 years has ensured—naturally enough—that parents do not have complete authority over their children. If a parent burns his child, inflicts cruelty on him, sexually abuses him, or treats him badly in other ways, that parent will be brought to court. Governments in civilised societies have rightly established a legal framework that ensures that there are no such things as absolute rights of parents. However, a balance has to be struck.

No one is suggesting that there is anything profoundly wrong or evil in the Bill—everybody accepts that the hon. Member for Lancaster and Wyre has produced his Bill with the best of motives. Our point is that such Bills gradually extend the boundaries. One moment one lives in a society in which every sensible person accepts that parents hold ultimate responsibility and are in charge; then, almost without realising that a change has occurred, one suddenly finds that the emphasis has shifted from parental rights and responsibilities to the rights of the child, and that the latter have become superior to the former. That might not be what the hon. Gentleman intends, but the Bill has that potential, and that causes us concern.

My fourth area of concern is the power of legislative scrutiny. The Bill requires Ministers to have regard to the views of the commissioner on any legislation that affects children. That would give extraordinary power to an unelected official—the commissioner would be unelected—and provide vast opportunities for children's rights advocates to meddle, via the commissioner, in the drafting of family law and education law, among other things. The Government would have to have regard to the commissioner's views on any legislation concerning children. That is an extremely wide provision.

I shall paraphrase some of the points made by Lady Young and others in the other place on 3 April. The matter was summed up sensibly in the observation that, in the past, we lived in a society where the main justification for protecting children was that they were different from adults—they were obviously immature and vulnerable and therefore needed parental protection. Parents had to educate their children, supervise them and correct them if necessary, so that when the children grew up and became adults they, too, would be able to continue that tradition of looking after the most vulnerable people in society. That was the traditional point of view and I suppose everybody accepted it.

One cannot deny that there has been a switch—it can be seen in conventions, in Bills such as this and in points of view expressed in Parliament—from the traditional point of view to a theory based on the assumption that children are individuals and have a right to exercise their own choice and to have self-determination in all aspects of their life. That view is put forward by a number of people. I shall not get into that debate, but I note those conflicting points of view.

Mr. Forth: I hope that my hon. Friend will not leave that point too quickly. Has he considered that, in this country, we require children to remain in education until they are 16, which suggests that we have made a judgment that they need education until they reach that age, so as to mature their judgment? Furthermore, we choose not to give them the vote until they are aged 18. Again, that suggests that they are not able to make a judgment—certainly as voters—until they are 18. Is my hon. Friend prepared to accept that those two long-established provisions suggest that, so far, we have made a collective judgment that children, aged under 16 or under 18, are not yet able to make full and mature decisions on a wide variety of matters?

Mr. Leigh: My right hon. Friend is right. There is an element either of hypocrisy or of pick and choose in the movement for children's rights. No one seriously suggests that a child aged 12 should have the right to demand not to go to school or to be educated. As my right hon. Friend points out, no child has the right to vote before they reach the age of 18, so society severely circumscribes the freedom of children.

Mr. Dawson: Does the hon. Gentleman not acknowledge that the work of the children's rights commissioner would be based on the United Nations convention on the rights of the child, which—as I have already said—gives children the right to be educated and the right to family life but which certainly gives them no right to opt out of either?

Mr. Leigh: I shall refer to such conventions in a moment to describe how they constantly broaden the parameters. It is important that when we discuss Bills such as this, we have a grown-up argument about those matters and that we do not claim that one side is entirely

right and the other side is entirely wrong; there are grey areas and I shall try to explore them. However, of course the hon. Gentleman makes a fair point, and I accept it.

After my description of the two arguments, it will be obvious—if it was not obvious before—where my views lie, for what they are worth. It is unfortunate that, under the Bill, parents are left out of the commissioner's remit. After all, there have been cases where children have been removed from parents for the wrong reasons. In the Orkney children's scandal in 1991, nine children aged 8 to 15 were taken from their beds by police and social workers.

Before that, there was the Cleveland fiasco, which arose from an excess of zeal on the part of the local authority. Sir William Utting said of that case that

"the rights of children and the rights and responsibilities of parents prove mutually supportive."

He hoped that view would prevail in future.

There have been cases in which an over-zealous bureaucracy, even equipped with the existing law, which the hon. Member for Lancaster and Wyre considers inadequate, has over-intervened.

Mr. McCabe: I am following the hon. Gentleman's point with interest. Perhaps the Cleveland case is a rather poor example of over-zealousness. Does the hon. Gentleman not think that, with hindsight, the number of children involved in that inquiry who were subsequently re-admitted to care suggests that it may have been the media attention on Cleveland that was wrong rather than over-zealousness on the part of the key agencies? I do not object to the general thrust of the hon. Gentleman's argument, but does he think that Cleveland offers the best example?

Mr. Leigh: Perhaps some of the decisions taken at Cleveland were right, although the hon. Member for Middlesbrough (Mr. Bell), who is held in high regard in the House, may hold a different point of view from that expressed by the hon. Member for Birmingham, Hall Green (Mr. McCabe). I do not claim to be an expert on that case; it might have been right for the local authority to intervene in some instances. However, my point is that there have been desperately sad examples when it was wrong to interfere with the rights of parents.

Dr. Alan Whitehead (Southampton, Test): Does the hon. Gentleman agree that children's rights also involve the right of a child to have contact with a parent and that, on occasion, that right is denied? Does he acknowledge that one of the functions of a children's rights commissioner might be to assert that right on behalf of a child, considering the matter solely from the point of view of the parent's rights?

Mr. Leigh: No one in this place has tried harder than me to promote the concept of the desirability of children retaining contact with both their parents—especially after marital breakdown. It is a sad fact of our society that, with the increase of marital breakdown and fathers leaving home, a high proportion of children lose contact with their parents. Of course, I accept that it is entirely desirable that society tries to promote the view that "families need fathers"—to cite the name of that organisation. The debate is on the right way to achieve that. Should it be by consent and by ensuring that it is encouraged by the practices of the Child Support Agency and the law? Should it be by creating a new post so that a commissioner can intervene—possibly in a heavy-handed way—in a difficult emotional situation, when, for example, the mother believes that the father has an extremely damaging influence on the children? Would the matter be satisfactorily resolved by giving over-arching powers to the commissioner to interfere in those difficult family situations, instead of leaving it to the family courts, which have great experience of such cases? I am a barrister. I have sat in family courts. We sit around a table—there is no question of a courtroom; the magistrate and the judge, even the justice at the High Court, all take those matters extremely seriously. One should not assume that society is not already experienced in dealing with such issues.

For all those reasons, and contrary to the disingenuous reply of the hon. Member for Lancaster and Wyre to my intervention, the Government—as I understand it—do not support the Bill. However, if I am wrong, I shall be happy to give way to the Minister if he wants to assure me of the Government's support for the measure. I think that the Government do not support the Bill—not least because during debates on a similar Bill introduced by the hon. Member for Lancaster and Wyre last year, the Minister said:

> The Government are not convinced that it would be desirable to create a new national mechanism additional to the courts, the police and the prosecuting authorities, the various existing commissioners, including the Parliamentary Commissioner and the health and local government ombudsmen, the responsibilities of local and health authorities to deal with complaints, and the various inspection and regulatory arrangements for ensuring that safeguards for children are properly implemented and that their voices are heard."—[*Official Report*, 15 February 2000; Vol. 344, c. 930.]

If the Minister has changed his view, I shall happily give way to him. However, I suspect that he has not. He expressed the sensible view that the existing arrangements are satisfactory.

There was an interesting debate, which I have looked up, in the Welsh Assembly. I know that not many hon. Members take the trouble to look up the debates in the Welsh Assembly, but it was a perfectly serious debate, in which Mr. David Melding, on behalf of the Conservative Opposition, expressed concern that parents' rights would not be taken into account sufficiently.

I shall briefly quote the amendment that Baroness Young tabled to the Children's Commissioner for Wales Bill:

> "Clause 2, page 2, line 14 at end insert—
>
> (2) In exercising his functions, the Commissioner shall have particular regard to the rights and responsibilities of any parents or guardians of children to whom this Part applies."

I should be very happy to give way to the Bill's promoter if he would now like to intervene to tell me that he would be prepared to propose that such an amendment should be inserted in his Bill. Sadly, he does not seem to be willing to do so.

We shall see how the Bill progresses, but if it is debated on Report, I will want to move such an amendment. I am afraid that I have to tell the hon. Member for Lancaster and Wyre that, in all honesty, if on Report he were not prepared to accept such an amendment, I would certainly not be prepared to support the Bill, or to facilitate its passage through Parliament, for the reasons that I have given. I apologise to the hon. Gentleman, but that happens to be my view.

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[Mr. Leigh]

We are told that the commissioner's role would be to promote the welfare of children, so it seems entirely logical to require the commissioner to work with parents and families. After all, surely the family environment is vital to the child's well-being, and all I urge the commissioner to do, if he becomes a statutory being, is to support parents and encourage them to be responsible for their children.

A series of international conventions and treaties has been mentioned. In 1948, for example, article 26 of the universal declaration of human rights established the "prior right" of parents in relation to educating children. The declaration has been widely cited in the House as the benchmark, the model on which we have created subsequent human rights legislation. In 1959, the declaration of the rights of the child made numerous references to parent-child relationships, including in principles 6 and 7, which state that the child should

"where ever possible grow up in the care and under the responsibility of his parents".

For all those reasons, I hope that we can always promote any such legislation in the context of the 1948 universal declaration of human rights, which—this is a very important point—established the prior right of parents.

If hon. Members think that what I suggest will not happen, I remind them that I made numerous interventions and speeches in debates on the Human Rights Act 1998, saying that it might affect the rights of Church schools, for example, but the Government told me not to worry because that would not happen. Yesterday, I picked up the Glasgow *Herald*, and saw a huge front-page article headlined, "Catholic school system taken to court" and "Parents challenge right to deny a place". It said:

"Nathan's father, Iain Mackay, a business analyst with Scottish Widows, has taken the case to Cameron Fyfe, a Glasgow solicitor, in a bid to have the council's decision overturned. Mr. Mackay is arguing that his son has been discriminated against because he is not a baptised Catholic."

Nathan has been prevented from entering a Catholic school. When we gave all those warnings, we were told, "Don't worry. This is a human rights Bill. It will only affect bad people." I am talking about the heart of the Scottish education system, built up over a century—the right of Catholic schools to insist that Catholics have the prior right to join them—but now the school is taken to court. That is what we worry about.

Worthy Bills are introduced and legislation is enacted, and people use it. These things do not exist in a vacuum, and often people with very limited resources are taken to court. I have mentioned a Catholic school, but it could easily have been an Anglican school or a Jewish school. We live in a society where there are all sorts of different views and people, and we regard some views as completely zany. There was an obituary in *The Daily Telegraph* this morning of the man who was the chairman of the Flat Earth Society. All his life, he believed that the earth is flat.

Mrs. Golding: Well, isn't it?

Mr. Leigh: He had the right to his view. If religious parents or other people have a particular point of view, we should not use this place to hammer their views into the ground and say that they do not have a right to live their lives in the way that they choose.

Mr. Forth: Does my hon. Friend agree that one of the problems is that commissioners, of whom we now have far too many in any case, feel it necessary to justify their existence, their salaries, their staff and their budgets? The great danger with this commissioner—and, in this respect, he will be no different from any other—is that he will inevitably set about justifying all those things and, therefore, will probably extend the remit and activities way beyond anything envisaged even by the enthusiasts for the Bill and the commissioner.

Mr. Leigh: My right hon. Friend is right. The hon. Member for Lancaster and Wyre claims that the commissioner and the Bill are harmless, but that is not clear to me, and he did not really explain that to us. There were some fine words and a great peroration about looking after children, which we all accept, but he did not explain what is wrong with the existing system, where it is going wrong or what the commissioner will do. The fear is, of course, as my right hon. Friend says, that the commissioner will naturally want to extend his remit. That is how people in such organisations operate.

There is a very well-developed children's rights movement, and its aim is nothing less than the legal imposition of an entire philosophy that would affect the way in which we order our families. That may not be the hon. Gentleman's view, or that of any hon. Member in the Chamber—we are all very moderate and sensible people—but that is the view of some people in the so-called children's rights movement. Let me quote some of the things that they believe in:

"Parental responsibility should be defined in legislation so that children can call their parents to account if they do not deliver on their duties;

Every family should be ordered on democratic lines with parental authority requiring the consent of the children;

Parents should be required in law to take their children's views seriously and children should be able to challenge breaches of this principle in court;

Schools should encourage a children's right ethos, and education on the UN Convention on the Rights of the Child should be introduced into the curriculum;

All children should receive sex education in schools and parents should no longer have the right to withdraw their children from classes for any reason;

'Gender stereotypes' should be eliminated from schools and feminist thinking should be reflected across the curriculum;

The validity and legitimacy of homosexual relationships should be promoted in schools;

A Commissioner for Children's Rights should be established on similar lines to the Commission for Racial Equality and the Equal Opportunities Commission to promote children's rights and to ensure that children have effective means of redress."

Mr. Dawson: Does the hon. Gentleman accept that unattributed remarks quoted at length, leading on from discussions about the Flat Earth Society, hardly do justice to the importance of the Bill, the aim of which is to protect children, to assist their participation in our society and to ensure that the Government pay due regard to the needs of children? He asked me directly why the post is needed. I can tell him from my direct experience of working with children for 17 or 18 years that the post is

needed because the views of children in this country are routinely disregarded, which does great harm to them and to families.

Mr. Leigh: I happen to have footnotes for all those points of view—I did not make them up—and I can go through the footnotes, one by one. They include Martin Rosenbaum, writing in an article entitled, "Taking Children Seriously". The previous statement was from "UK Agenda for Children", produced by the Children's Rights Development Unit. The one before that was a recommendation produced by the Parliamentary Assembly of the Council of Europe. The one before that was, again, from "UK Agenda for Children", and the one before that from "Children's Rights & Childhood" by David Archard. I did not make any of those up—they were all written by someone, and I will send them to any hon. Member who would like them. There are people who are making those arguments, and there is no point in denying it. We may think that they are flat-earthers, but they believe profoundly in their point of view. They believe that the rights of children come before the rights of parents, and we should be very worried about that.

Dr. Whitehead: If I wanted entirely to discredit the movement to curb the EU's power or get Britain to leave it, I could quote some very unpleasant people with policies that have racist and fascist undertones.

Mr. Leigh: Of course there are extremists in every organisation. I am trying to explain to the House that there are several people who support the views that I have quoted. At the beginning of my speech, I listed the groups that support the Bill. They do not think that their views are extreme. They do not think that it is extreme to ban parents from smacking their children. They do not believe that it is extreme to place homosexuality on an equal footing with heterosexuality in schools. They do not believe that schools should encourage a children's ethos. As far as they are concerned, they are not fascists, nasty people or anti-democrats.

Mr. Forth: They are just wrong.

Mr. Leigh: Yes. They will use the commissioner to promote their agenda. He or she may be a person of sufficient stature and strong will to resist that agenda, but if not, in 15 or 20 years we will have a very different ethos, and that worries me.

Mr. Forth: Does my hon. Friend agree that his argument demonstrates the wider point that, although almost any hon. Member can come to the House with a Bill and quote in its support any number of organisations, not even well-established and respected organisations have a right to legislate, and our job is to judge wider interests? Quoting supporters or even opponents of a Bill is only part of the story, and our judgment must have a much wider range.

Mr. Leigh: Yes, we must use our judgment and common sense. In this matter, our common sense should tell us that existing legislation, which has been extended considerably in the past 10 years, is adequate to deal with abuse of children. Contrary to what the supporting organisations argue, we do not need the Bill.

The whole children's rights argument is built on the assumption that children are born innocent and good—I agree with that to a certain extent—so it follows that children do not need direction from their parents; they do not need correction, physical or otherwise, and it is scandalous that anyone should dream of making decisions for them once they can speak and act for themselves. I believe that the children's rights movement is wrong.

I agree with Charles Colson, writing in *The Advocate*, who said that we should be

"very cautious of recommendations decreasing the role of parents and increasing the role of the state in family life. God created the family as the basic unit of society and planned that truth would be passed from parents to children, from generation to generation."

That makes my point. In the same article, Brian Edwards says:

"Long before a child thinks about murder, contemplates the passing pleasure of adultery, understands the apparent advantage of stealing, learns to lie or yearns for the possessions of others, it struggles to break free from parental discipline. That is always the first relationship to be trampled upon, and therefore the first one that a child must learn to value. From this commandment"—

the fifth commandment—

"flows an attitude to a thousand people."

I happen to agree with that point of view, although not every hon. Member would agree.

Children need direction, and parents are in the best position to look after their children. The Bill is another attempt to chip away at the rights and responsibilities of parents. We must hold bureaucracy and social institutions accountable. Once they are passed, laws tend to achieve an awesome power in the hands of bureaucrats that Parliament never intended. For all those reasons, I oppose the Bill.

10.45 am

Mr. Kevin Barron (Rother Valley): I congratulate my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on introducing the Bill. He has done the House a service by giving us the opportunity to debate the children's rights commissioner.

The hon. Member for Gainsborough (Mr. Leigh) said that deciding whether to create a commissioner is important for our treatment of children and that existing law on the subject is adequate. However, the wonderful gift of retrospection tells us that 30 years ago, a great deal of child abuse took place in schools and other institutions. That was accepted at the time and the law was considered adequate. Society has since judged that such abuse is unacceptable, and the House has, on occasion, voted to end practices that my hon. Friend the Member for Lancaster and Wyre mentioned, such as caning in schools. Humankind is constantly changing. The very point of the convention behind the Bill is to protect children throughout the world from all sorts of exploitation, and some such practices, such as sending children down coal mines or up chimneys, were banned in this country almost 200 years ago. We should never close our minds to the possibility of the need for legislation.

Unlike my hon. Friend, I have not worked with children, except in bringing up my own three. He said in an intervention that children's views are often disregarded, and I agree. I think of the children in my constituency, where leisure facilities and life chances, within the family and outside it, have not moved on much

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[Mr. Kevin Barron]

since I was a young person there in the '50s. I sometimes despair of how our society treats young people. Going to villages and questioning young people is not a scientific way to do a survey; nevertheless, I have asked many young people what facilities they would like in their village. Of course, they say that they would like an ice rink or a bowling alley. We could not have those in every village, or indeed in any village in my constituency, but some nearby towns have such facilities in abundance, and children in village communities want the means to get to them. Even if there is transport, they may not be able to afford to use it. I know that we have thought about transport to and from schools, but we must consider giving children access to it for wider purposes.

Many children have nowhere to go at night. I despair because taxpayers spend billions of pounds, and have done for centuries, on public buildings that close at 4 o'clock in the afternoon when they are no longer needed for the use for which they were built. Agencies could intervene to make schools and other public buildings available to children for recreation.

Mr. Forth: I am familiar with the phenomenon that the hon. Gentleman is describing, but surely he agrees that we already have mechanisms for dealing with such matters. I think of school governing bodies, which have parental representatives, and local authorities, which we elect and which are accountable to us. Community by community, they are capable of making the decisions that he rightly highlights. Where does the commissioner come into all that?

Mr. Barron: People would be able to take their grievances and put their case to the commissioner. The right hon. Gentleman is right to mention the role of local authorities and school governing bodies. In my constituency, activities outside the usual school role of educating children take place in only a minority of schools. Access to schools is made difficult by the costs and the fact that they are cordoned off. Rotherham metropolitan borough council has just agreed a massive project under the private finance initiative to rebuild a large number of schools. It is in its second phase and I hope that the architects will design them so that those parts of the school that are used for educational purposes can be secured and locked up at 4 pm while other parts are available for use.

Young people need functional buildings to be available to them. Most, if not all, purpose-built youth and community buildings in my constituency are not open for young people to use on Saturday and Sunday nights. People write about young people hanging around on the streets and so on. I would not want to encourage them to be up at 10 pm if they have school the next morning, but Saturday night is different, and taxpayers' money has been used on buildings that are locked up. That makes no sense. Young people would love to use those buildings on a Saturday night when they have nothing else to do. Their views are often disregarded. I know that such arrangements would mean that people might have to work weekends, but people in industry have done that for years.

We need to consider the attitude to children in our society and their enfranchisement. They need to get a good start in life, because they are not getting it now. Child poverty is a major issue throughout the world. I am pleased to be on the Labour Benches supporting a Government who are doing so much more than the previous Government to aid and develop children's rights and to attack child poverty in different parts of the world. I am also pleased that I can support a Government who do that at home. An announcement was made yesterday about the children's tax credit, and how it will apply from 1 April. Families who do not have people in work will not benefit from that, but more than 11,000 families in my constituency will. The Government are doing a great deal. The major problems with child development relate to child poverty.

We have also done well on child benefit, which received its single biggest increase two years ago. That has had a positive impact on families suffering from child poverty. We could do no better than to keep thinking about the issue. The other side of the coin is the link between poverty and health. The South Yorkshire Coalfields health action zone covers the boroughs of Doncaster and Barnsley as well as my borough.

Mr. Deputy Speaker: Order. I am hesitant to stop the hon. Gentleman, but he is straying wide of the subject.

Mr. Barron: I accept that, Mr. Deputy Speaker. All I am trying to do is put the commissioner in the context of how we treat children in society. A commissioner would be there when things broke down. Anyone who has been a Member of Parliament for two years will know about the problems that people who are responsible for children in their families encounter in doing that job well. In particular, children in care are not getting the assistance that they should.

The commissioner would be the voice for children and would ensure that Governments respond to vulnerable people in society. That is what commissioners throughout the world are doing. Children are very vulnerable—sometimes within the family, and we have heard examples of that. They are also vulnerable as a group in society, which is why I mentioned the way in which they interact with us and society as a whole. They are disadvantaged. The commissioner would not necessarily take direct action. There are some aspects of the Bill that I need convincing about, but the commissioner would ensure that legislators or those who deal with public expenditure for health action zones, for example, always bear it in mind that children have rights. We need to ensure that legislation takes that into account.

I am concerned about clause 10, which gives effective legal powers to the commissioner. That seems to conflict with other legal powers for protecting children. Giving him that power rather than just a voice might clash with the role of other law enforcement organisations. No doubt my hon. Friend the Member for Lancaster and Wyre will consider that.

No matter what people say about the rights of parents, the history of child abuse shows that it has usually been committed by a close associate of the family. We cannot continue to satisfy ourselves that the family or society always look after the interests of children, because often they do not. We can all cite examples of how children are getting more of a voice, but we could give many more that show that they are still disadvantaged.

By introducing the Bill, my hon. Friend is furthering the debate on the development of our democracy and how it can be more inclusive for children. Although the

Government might not be entirely in favour of it, as the debate progresses in the next few weeks they might find that we are laying the grounds for ensuring that children get the protection and enhanced rights that they deserve. I am pleased to be here this morning to support the Bill.

10.58 am

Mr. Eric Forth (Bromley and Chislehurst): And I am very pleased to be here this morning to oppose the Bill most vigorously. It is an unfortunate example of the modern phenomenon of motherhood and apple-pie legislation in which high-minded and good thoughts, aspirations and wishes are brought before the House in a spirit of good will. I always carry with me a quote from Sir Winston Churchill. I have shared it with the House before, and it is relevant to this debate. In addressing the Select Committee on Procedure in the House in 1931, Sir Winston said:

"I am not very anxious to help private Members' Bills. I have seen a great many of them brought forward, and in most cases it was a very good thing that they did not pass. I think there ought to be a very effective procedure for making it difficult for all sorts of happy thoughts to be carried on to the Statute Book."

I am guided by those words by no less a figure than Sir Winston in my approach to private Members' Bills, of which this is a very good example.

Mrs. Curtis-Thomas: Will the right hon. Gentleman be kind enough to advise me which particular child-oriented legislation he has supported during his time here as a Member?

Mr. Forth: I have probably inadvertently supported quite a lot if it were introduced by my Government, of whom I was a modest member for about nine years. Certainly, as a Minister for five years in what is now the Department for Education and Employment, I probably did not introduce any legislation in the sense that the hon. Lady means. I was largely responsible for the special educational needs code of practice, and that would have had a bearing on children and their welfare. Therefore, I am not ignorant of the matter. However, I certainly would not have supported such a Bill, and I am about to explain why.

The first problem with the Bill is that it seems to rely heavily on a United Nations convention. I believe that United Nations conventions are largely irrelevant to this country, to our society and to our legal structure. I spent five years as Member of the European Parliament—not something that I often admit to in public—and I cannot deny that. As a Member of the European Parliament, operating mainly in Strasbourg—which I enjoyed very much—and in Brussels, I became used to the rather foreign concept of aspirational legislation. The United Nations is a past master at that. At strange international forums, such as the European Parliament and the United Nations, many well-meaning and usually rather highly paid people get together in a rather congenial atmosphere, have good meals and wind one another up to pass declarations on this, that or something else. Those declarations usually take the form of conventions that express very high-flown views indeed.

The problem with the European context and the global international context of the United Nations is that the declarations are rarely carried forward into reality, because they rely inevitably on each individual member state, each sovereign country and each nation state—something in which I believe with great passion—carrying through the aspirations into reality. Something like a United Nations convention—which is obviously much favoured by the hon. Member for Lancaster and Wyre (Mr. Dawson) and the Bill's supporters—has no relevance to this country unless we decide that it should have. Simply to argue that we signed the United Nations convention is not sufficient; of course, we signed it because we did not want to look like the bad guys. Successive Governments sign up to all sorts of conventions without any thought as to their relevance to our society and our way of life.

Mr. Dawson: I am following the right hon. Gentleman's argument, but does he not accept that successive Governments have put considerable resources into making reports to the United Nations Committee on the Rights of the Child on their success in implementing the UN convention? Does he not accept that the point behind having the post that would be created by the Bill is to ensure that the UN convention holds sway and works across this country?

Mr. Forth: No—of course not. Everybody loves to make reports; that is all part of the mutual self-congratulatory process. We all go to these meetings, we all sign the conventions, we have a good meal, we collect our expenses, we come home and we feel good about ourselves. Governments sign up to conventions so that they can say that they have signed up to them, but none of that is relevant.

We are talking about making real law that affects real people in their homes, communities and schools. That is the sort of thing that the hon. Member for Rother Valley (Mr. Barron) mentioned a moment ago. What really matters to children is whether their school building is available to them in the evening. What is really important to parents is the extent to which they, in their daily struggle over the breakfast table and in the evening, have to make endless judgments about whether their child has the sufficient maturity and judgment to go out in the evening unsupervised or to go to school on his own. That is the reality—not a United Nations convention.

For goodness sake, what do people in the United Nations know about the problems that parents in Chislehurst, Rother Valley or any other constituency face? Absolutely nothing whatever. Most of the people in the United Nations are not only foreigners but diplomats. If there is one combination that is utterly irrelevant to our daily lives, it is the combination of foreigners and diplomats. Let us put aside United Nations and European Council conventions right from the outset. Let us accept that they have no relevance whatever to parents and children in the United Kingdom.

The hon. Member for Lancaster and Wyre referred to the next driving force behind the Bill in his opening remarks. It is the modern search for a risk-free society. In our strugglings here, we now seem to want to eliminate risk from every element of our daily lives. The difficulty that I have with that is that it does not recognise the daily judgments that we have to make about balancing risk against reality and against what must inevitably arise in our daily existences. That can take many different forms.

[Mr. Forth]

This is only a brief digression, Mr. Deputy Speaker, but I am often amused by, for example, the argument against boxing as a sport, because of the harm that it may cause to its participants. That ignores the fact that more people die from horse riding, playing rugby or climbing mountains than ever die in the boxing ring. Yet people want to reach immediately for what is easy and visible and say that we should ban something that creates harm or risk.

I could offer to hon. Members a risk-free option, and I ask them to contemplate it. One of the ways of eliminating the risk of someone committing a murder for a second time is to hang or execute him after he has committed the first murder. There is a risk-free option for you. I bet very few Labour Members would sign up to it, because, in their balanced judgment, they would probably say, "I am prepared to accept the risk that someone already convicted of murder might do it again inside prison or if he escapes or is wrongly released rather than take his life." That is a judgment and I respect it even though I do not agree with it.

Most hon. Members here would probably want to sign up to the Bill because the hon. Member for Lancaster and Wyre said that it might help to reduce or eliminate the risks to children. If one puts the words "risk" and "children" together these days, one gets an apparently almost irresistible force. Well, I am going to resist it, because I do not think that it makes any sense. Of course, we must strike a reasonable balance in society—we always have done for as long as there has been civilised society—between the freedoms that we try to give to people as individuals, parents, family members and as members of groups and societies and the element of risk that may exist. The problem that I have with such a Bill is that it would tip the balance completely the wrong way for a well-motivated, but wrong-headed reason.

My hon. Friend the Member for Gainsborough (Mr. Leigh) and the hon. Member for Lancaster and Wyre touched on the whole business of listening to and respecting the views of children. I doubt that somehow; I do not that think that we should. Certainly we should listen as parents, as teachers and as people who have direct dealings with children and young people and are responsible for helping to mature, develop and educate them, but we should not listen in the sense that the hon. Gentleman suggested.

We are talking about children and that seems to mean anyone under the age of 18. The Bill does not make clear whether it is talking about three-year-olds, seven-year-olds, 11-year-olds or 17-year-olds, and I would have thought that a sensible distinction should have been made in that regard. However, the Bill does not do that; it talks about children as a generic blob.

Nevertheless, the question that we must ask ourselves is, what value should we place on the views that children express about important issues? Although this is bound to be misconstrued, I shall say it anyway because I am a risk-taking sort of chap. When asked what value should be placed on the views of children, my answer would be very little. By definition, young people are forming, maturing, developing, being educated and being influenced as they grow up. To that extent, their views are of relatively little value. That is why we set the voting age at 18; that is way we have set an age of sexual consent; that is why we have set an age for compulsory education. Society decides that children up to certain ages are, almost by definition, incapable of making judgments to which we should give any weight whatever.

I do not accept the Bill's basic premise that children should have a voice. That is the type of soundbite and spin that have apparently become the main drivers of our legislative activity.

Mr. Dawson: I am slightly amazed, but could the right hon. Gentleman tell me how, when the general elections comes, he will justify to 18-year-olds in his constituency that he may be interested in their views now, but that he could not have cared less about them six or 12 months ago?

Mr. Forth: I would probably make the judgment on the basis of any individual discussion that I had with such a person, or on the basis of any representation that such a person cared to make. I certainly would not make it on a "mass" basis.

I concede, however, that life is full of arbitrary limits, and hurdles that must be leapt. We set the voting age at 18—I am not sure that I entirely agreed with that; I rather liked 21 when it was around—and thus made a judgment: we decided that when people reached the age of 18, regardless of their intelligence, maturity, education or anything else, they should have the vote. A long time ago, we made another judgment: that children should remain in education until they were 16, because until that age they needed to be educated. Those are reasonable judgments, made according to arbitrary limits, which I accept.

My answer to the hon. Gentleman's question about the mythical 18-year-old is that I would have that discussion and make those points. The person concerned would either accept or not accept what I said, and would then decide whether or not to vote for me. I have no problem with that.

Mr. McCabe: I have been thinking about that wonderful image of the right hon. Member for Richmond, Yorks (Mr. Hague), in his younger days, addressing the Conservative party conference. Does the right hon. Gentleman think that that was a totally worthless event, which we should utterly disregard?

Mr. Forth: I do not remember being swayed much by what he said, that is for sure. In that sense, I would not differentiate between that and any other political event—but the hon. Gentleman makes a fair point, and I rather agree with him.

Let me now deal with the role of commissioners. That is a concept of which we as a body politic seem to have become rather fond. It is odd, when we think back: do those of us who received their political education back in the 1960s and 1970s remember the commissars in the Soviet Union, or some of the more dictatorial states, of whom we were so critical—figures of power and influence who were able to intrude on people's daily lives? Whether a commissioner is very different from a commissar is an interesting question for debate and consideration, but we are now rushing headlong down a route towards having a commissioner for everything. We

have one in this very building, although I shall not digress into what people think about that. Now we are being asked to appoint yet another commissioner.

I shall not delay my analysis of the Bill much further—for these are just my preliminary observations: I shall come on to the Bill in a moment, and then I shall really get stuck in. This is just my softening-up process. I want, however, to make a general comment about the concept of commissioners, which has bothered me considerably for some time.

Despite the wording of the Bill, with which I shall deal shortly, commissioners are largely unaccountable. They have enormous powers—the Bill seeks to give this commissioner substantial powers—and very large budgets. I shall dilate on the budget when I discuss the Bill itself.

I am worried about these people. I am not comforted by the fact that we are allowing commissioners to proliferate in our society, and in our legal and statutory framework; I worry about it. I will resist the introduction of more and more commissioners, however well-meaning and well-motivated they may be and however much they appear to be constrained by the statutory framework that seeks to establish them. I remain to be convinced that commissioners add to the sum of human joy and benefit, rather than doing the opposite.

My final preliminary point was touched on by my hon. Friend the Member for Gainsborough, whose knowledge of the law is vastly superior to mine. In this country we have, and are proud of having, an enormous body of statute law, common law, precedent, conventions and traditions that—the recorded versions, certainly—stretch back for the best part of 1,000 years. They serve us very well, and have been the envy of large parts of the world. Hon. Members familiar with Commonwealth countries, in particular, will know that the countries that have the honour and pleasure of being part of the Commonwealth—and have largely chosen to continue the tradition that we handed on to them, in a benign way—consider that combination of statute, common law and precedent to be beneficial and, in most cases, worth retaining.

The hon. Member for Rother Valley said that we must develop the arrangements and review them. That, indeed, is what parliamentarians are here to do, and—as Members know—I participate in the process as much as I can. I do not think that the position should be static; I merely say that as well as moving forward, I would like occasionally to move back. I would like to turn back the clock occasionally. I would like us to enact more repeals, rather than adding more and more to our body of law. I would like that to happen, in its place and where it is justified.

Rather than adding constantly to what is there, I should like us to take away from what is there. Perhaps we could get rid of some of these commissioners, instead of having more and more of them. There is a thought. Perhaps more private Members' Bills should be repeal Bills, rather than continually increasing the burdens of regulation and intervention. I live in hope.

That is why I approach the Bill with some trepidation. The long title, for instance, includes words such as "commissioner". I read phrases such as

"the rights and interests of children"

and

"the powers and duties of the commissioner",

and I blanch. I ask myself whether this is something with which I shall feel comfortable, and immediately suspect that it is not.

I then think that I may find some comfort in the text—that perhaps when I get into the Bill, it will not be as bad as I expected. When I start reading it, however, I realise that it is worse than my worst nightmare—for the Bill is a nightmare: it is the worst that one could expect.

The starting point is, I suppose, fairly logical: the appointment of the commissioner by the Secretary of State. Bills such as this always have to start with the Secretary of State, and usually finish with the Secretary of State as well. Perhaps that is inevitable; certainly it was the case when I was in government. I worked for a number of Secretaries of State, who were, of course, giants of infinite patience and infinite judgment.

Clause 1(2), however, states—I accept that this is designed to comfort us—that before recommending someone as a commissioner

"the Secretary of State shall consult such persons as appear to him to be appropriate."

We are already in interesting territory. Who would be the appropriate people? Would those on the list read out by my hon. Friend the Member for Gainsborough be on the Secretary of State's list of people to consult? Are those the sort of people and organisations to guide the Secretary of State in his appointment of a children's commissioner? I hope not, but I fear the worst: I suspect that a lot of them would be, and no doubt there are more.

But the position is worse than that. Anyone who has had the privilege of being in government for any time at all knows that the word "consult" and the process of "consultation", which have entered our political vocabulary relatively recently, are in a sense rather false. How often were the Conservatives, when in government, accused by those who are now in government of engaging in a sham consultation process? Had we asked anyone at all? Who did we ask? When we asked them, did we listen? Did we pay any attention? Did the consultation process make any difference to what we were going to do anyway?

Apart from any other consideration, the number of people who would qualify to do a job such as this is probably fairly limited. In that sense, the consultation process is in itself almost predetermined. The Minister will know, and others will probably be aware, that nowadays anyone setting out to identify an appropriate commissioner or public sector body must immediately be concerned with gender, ethnicity, regionality, experience, relevance and so on.

Moreover, I suspect—we will come to this later—that the appropriate person would have to have legal qualifications. As my hon. Friend the Member for Gainsborough suggested, it is difficult to see how the commissioner could fulfil the requirements of clause 10(a) without being legally qualified.

We can already see, then, that there will be severe constraints on the nature of a person who could come anywhere near qualifying for the job. It is in that context that I ask how relevant consultation would be, given that the matter would be severely constrained from the start.

The commissioner will be appointed for five years. He can resign, which I suppose is some small comfort. An even bigger comfort is that he can be removed by Her

[Mr. Forth]

Majesty in consequence of addresses from both Houses of Parliament, so there is at least an escape clause, for which I suppose we should be grateful, although the following provision states that, at the end of the term, the commissioner is eligible for reappointment, which is a bit of a disappointment.

Mr. Leigh: Has a commissioner ever been removed by Her Majesty after an address from both Houses of Parliament?

Mr. Forth: I cannot recall any such occurrence. It might be interesting to speculate, although, again, I will not dwell on the matter, about the circumstances behind the resignation of Her Majesty's chief inspector of schools recently. He was not a commissioner, but he was a sort of equivalent person and eventually decided that he could no longer live with the Secretary of State for Education and Employment, if I may put it that way. Such things can happen, although I cannot recall such a removal. I suspect that the provision would be redundant or otiose from the start, although it must be put in the Bill to give us a bit of reassurance.

Mr. Leigh: The answer, I think, is that no one has been removed. It is a uniquely powerful position. It is equivalent to being a canon of Lincoln cathedral, who cannot be removed and who is in office for five years. Therefore, Parliament has no control over those people.

Mr. Forth: I do not know where firearms come into this, but I shall leave that to my hon. Friend.

Dr. Whitehead: Is not an alternative interpretation that Parliament has done rather well in appointing commissioners because it has not removed any so far?

Mr. Forth: I wish that I thought that that were so. I am grateful to the hon. Gentleman, but I am not as reassured by what he says as he would hope.

The Bill states:

"The Commissioner may appoint such staff as he thinks fit to assist with the discharge of his functions; and any function of the Commissioner may be performed by any member of his staff authorised for that purpose".

We run into a difficulty. I shall return to this theme as I go through my analysis of the Bill, but straight away we run into the budgetary element, which has not been mentioned much so far; I think that it has been touched on, but it has not been mentioned much. We must pause. My hon. Friend the Member for Gainsborough referred to it in passing. The Commissioner may

"appoint such staff as he thinks fit".

There are no constraints. Apparently, there will be no limit. Straight away, therefore, we have the possibility of a burgeoning bureaucracy appointed by the commissioner without limit.

Of course, it would not work that way because the Secretary of State would inevitably have to set some sort of budget, but one can imagine the commissioner coming to the Secretary of State and saying, "In order properly to discharge my duties, these onerous and important duties that are laid on me by the statute, I need more staff." One can imagine that happening year upon year upon year. I can think of very few shrinking quangos, but I know of an awful lot of ever-expanding ones, not least the ghastly commissions and commissioners whom we already have, who seek endlessly to expand their remit, to expand their staff and to increase their role. Therefore, I am pessimistic about the implications for the taxpayer of clause 1(4).

Then, intriguingly, the Bill says:

"The Commissioner and the Commissioner's staff shall not be regarded as agents or servants of the Crown."

What status that gives them, I am not sure. Perhaps the Minister can advise us about where that provision would position the commissioner and his staff. He can be removed by Her Majesty in consequence of addresses from both Houses of Parliament, but a commissioner is not a servant of the Crown. Whether there is any conflict I shall leave for the Minister to ponder and perhaps to deal with when he replies to the debate. All that is not at all satisfactory.

When we get to clause 2, which seeks to set out the remit and terms of reference, we get into considerable difficulties. The Bill states that the commissioner shall

"seek to ensure that the rights and interests of children are properly taken into account by Ministers of the Crown".

That is an interesting one. How does the commissioner ensure that their rights and interests are properly taken into account by Ministers of the Crown? Can the commissioner demand to meet Ministers? Can he demand to see the advice given to Ministers? Can he second-guess Ministers? If he cannot do any of those things, how does that part of clause 2 work?

The provision states that the commissioner shall seek to ensure that children's rights and interests are properly taken into account by not only Ministers but

"government departments, local authorities, other public bodies and voluntary and private organisations when decisions on policies affecting children are taken".

I see: so now the commissioner will have statutory involvement in private organisations and their decision making. Have we thought about the ramifications? Do we know how that would work in practice? Can we begin to imagine or envisage how the commissioner would set about seeking to ensure that

"the rights and interests of children are properly taken into account by . . . voluntary and private organisations when decisions on policies affecting children are taken"?

One can argue that almost any decision that anyone, be he in the public, private or voluntary sector, takes is bound to have some effect on children. It would be challenging to try to imagine a decision that did not have an effect on children one way or another. Therefore, that apparently innocuous clause carries within it interesting and worrying implications. Again, perhaps when he winds up the debate, the promoter of the Bill might want to give us his further thoughts on how he thinks clause 2(1)(b) would work in practice and what the relationship between the commissioner and private organisations would be, given the apparent breadth of the remit.

The clause then states that the commissioner shall

"promote compliance with the United Nations Convention".

I shall not bother too much about that. I do not think that we should comply with any such convention in any way as they are aspirational nonsense by and large. I suspect that most countries do not comply with most UN

conventions. They float about in galactic air and we all pay lip service to them but I suspect that, in most regards, we do not implement them, so I shall not dwell on that.

Clause 2(1)(d) states that the commissioner shall

"seek to ensure that children have effective means of redress if their rights are disregarded by any body referred to in paragraph (b)."

That "any body" includes Ministers of the Crown, so the commissioner will have the statutory obligation to ensure somehow that children have effective means of redress against a Minister. I want to hear the Minister's view on that matter. I suspect that, because he is a competent Minister and is very relaxed about the Bill, he will not be too worried, but speaking on behalf of those with whom he has collective responsibility, I wonder whether he has thought about or been advised on the implications of clause 2(1)(d) and how it would operate. If a Minister failed to take into account the rights and interests of children, how would the commissioner seek to discharge the responsibility to ensure that children had effective means of redress against that Minister?

Then we come to clause 2(2). Again, I will not waste time on the United Nations convention, but subsection (2)(b) says that the commissioner will

"maintain direct contact with children".

There are 11.5 million of them, so that is a pretty challenging part of his responsibilities. I do not know how that individual, however talented, busy or active, or whatever the size of his staff, will maintain direct contact with children in any meaningful sense.

The commissioner will also maintain direct contact with children's organisations. Perhaps we are back to the ones that my hon. Friend the Member for Gainsborough listed. The commissioner will also

"pay particular regard to the views of children and . . . promote respect for the views of children throughout society".

I touched on that matter in my introductory remarks and I am not sure that I am impressed with that part of his responsibility, so I shall put that to that one side and come to subsection (2)(c), which says that the commissioner shall have regard to

"the need to ensure co-ordination between different bodies (including government departments)".

We are back to the Minister again. I would want to hear his views on that. How does the hon. Member for Lancaster and Wyre expect the commissioner to ensure co-ordination between different bodies, including Government Departments?

What role would the commissioner play? Would he sit on Cabinet Committees? Would he be party to the inner workings of government? If not, I can tell the hon. Gentleman that I cannot think how he could possibly ensure co-ordination between Departments. Goodness knows the Prime Minister has enough difficulty doing that, as does the Deputy Prime Minister. It is one of the most notoriously difficult aspects of government. In the context of foot and mouth, for example, how is co-ordination ensured between the Ministry of Agriculture, Fisheries and Food and the Ministry of Defence? The provision is verbiage. It is meaningless nonsense because it cannot be delivered.

One problem that I have with such Bills, which I regret now proliferate, is that they contain aspirational wording. They are a bit like UN conventions and conventions of the Council of Europe. People say, "We certainly want co-ordination between Departments. We'll have some of that. Let's put it in the Bill and it will improve the lives of children." Unless the Prime Minister is to start taking personal responsibility for those matters as well as for foot and mouth, I do not see how that could be achieved. I hope to hear more from the Minister or the promoter about it.

Then we come to the difficult provisions. I shall not dwell on annual reports, because they represent the usual spin, nonsense and soundbites to which we have become accustomed. A lot of money would be wasted and the reports would probably take the form of a glossy publication carrying an attractive picture of the commissioner, probably with children. It might also carry pictures of Ministers, with children.

Mr. Dawson: Would the right hon. Gentleman confer the same description—irrelevant and glossy nonsense—on a report from the chief inspector of prisons?

Mr. Forth: Not necessarily. Some reports have substance and value, but the less glossy, the more important and substantial they are. The fewer pretty pictures, the more relevant they are, but I fear the worst here. I hope that we do not reach the stage at which we would be able to amend the Bill, but if we do we could table an amendment containing a codicil saying, "No pictures and no glossy covers." Then I might be slightly reassured, but I suspect that that will not happen.

Clause 4(3) takes us into the whole business of compliance notices, which is where the role of the commissioner becomes worrying. It would be one thing for the commissioner to be a symbol or a comforter, but he would be able to make recommendations in the form of a compliance notice in which he

"shall state his opinion as to the way in which the provisions of the United Nations Convention"—

that ghastly UN convention again—

"are not being complied with and what action should be taken to comply."

Now we are getting into much more intrusive territory and the commissioner could intervene much more directly, perhaps in families or with parents—who knows?—but certainly in institutions and bodies.

The Bill would oblige anyone

"at whom a recommendation is directed by a Commissioner"

to consider it and reply. Clause 5(3) states:

"The Commissioner may require a person at whom a recommendation is directed to furnish him with such information as may be reasonably be required".

The Bill begins to bite—the commissioner would have serious powers to require any person at whom a compliance notice was directed to furnish him with information. That is an intrusive requirement. It is not trivial; it is very important and I would want to resist it. At the very least, I would want some safeguard or an appeal mechanism to be set up to provide a balance of protection for the citizen against the commissioner.

That takes us back to my general point that, if we are not careful, we shall lose sight of the crucial balance between the well-meaning, well-intentioned commissioner with those ever-increasing powers, and individuals and private or public organisations. That balance is going seriously awry, and it gets worse. Clause 5(5) states:

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[Mr. Forth]

"If the Commissioner has reasonable cause for believing that a person will not comply with subsection (4) he may . . . recover from that person any reasonable expenses incurred."

The commissioner would not only have power to require information, but would be able to charge or surcharge individuals with the costs of the process that he had initiated.

The Bill gets worse by the minute and I am very worried about it. Clause 6(1) states:

"The Commissioner may conduct a formal investigation for any purpose connected with the carrying out of his duties."

That would be bad enough, but subsection (2) says:

"For the purposes of that formal investigation the Commissioner may require any person who possesses documents or information relevant to . . . produce the documents . . . furnish the information in writing . . . attend at a specified time and place and give oral information."

The commissioner would have powers equivalent to those of a Select Committee of the House of Commons relating to persons and papers. If I may say so as a Member of the House, it is one thing for elected, accountable Members of Parliament, gathered together in the form of an all-party Select Committee and conducting their affairs in a proper way, to

"produce documents . . . furnish the information in writing . . . attend at a specified time and place"

but another for the commissioner, unrestrained and unaccountable, to be able to do that. I find it worrying.

Those are the lengths to which we are being asked to go to underpin the UN convention in the United Kingdom. That is where the Bill is leading us. Make no mistake about it: however well intentioned, we would end up with the commissioner summoning our citizens to attend and provide information. He would already have surcharged them and had their money and he would have had the information. Then he would summon them.

What is going on? What have we descended to? We start with well-intentioned ideas, but end up with such a provision. Let us make no bones about the fact that we would be right back with the commissar. This is Soviet Union stuff, or worse. Nothing in the Bill would make the commissioner any more or less constrained than a commissar in the old Soviet Union. Mr. Putin would be proud of us.

I am becoming less and less happy with the Bill as I go through it, Mr. Deputy Speaker, as you may be able to tell. I shall move swiftly past clause 7—what on earth child impact statements have to do with anything I do not know. Then we come to complaints procedures. One might have thought that complaints against the commissioner would have been allowed. If they had, I would have been slightly more reassured, but no. There is no appeal mechanism, no protection—nothing that would allow us to complain against the commissar and his activities.

Again, the commissioner would be allowed to make requirements of people. He would be given another power to be used in pursuit of his duties and he would be

"under a statutory duty to establish, operate or supervise any procedure for the consideration of representations or complaints".

That would not provide anything like a balance.

Against that background, we come to the great unspoken part of the Bill, which is blandly entitled "Other powers and functions". This is the money bit, which I want to discuss for a moment. Clause 9 refers to:

"Where the Commissioner considers it necessary or expedient for the carrying out of his duties".

That would give him total discretion as to the interpretation of his duties under the terms of the statute. He could "publish and disseminate information". We are back to glossies and pictures. The provision would give an apparently blank cheque to the commissioner to spray around the place the sort of misinformation that we have become used to from the Government. If the constraints on the commissioner are as ineffective as those on the Government, we will be inundated. We shall have from the commissioner endless glossy, substantial, thick documents with pretty pictures telling us all sorts of things, most of which we probably do not want to know.

It gets worse. The commissioner can

"undertake or assist (financially or otherwise)"—

the provision is quite explicit about that—

"the undertaking by other persons of any research".

So the commissioner is now a huge vat of taxpayers' money into which people who do research can dip.

I have some knowledge of that because, among my modest responsibilities at the then Department for Education, now the Department for Education and Employment, I had a research budget, and I know how they work. Officials have friends in the research community and, between them, they dream up projects that are put before the Minister. If the Minister is not very careful, those projects will be approved—because they are always well constructed, well conceived and sound good—and lead to large volumes of research. Usually, when that research is finally produced, it goes into someone's drawer and is never heard of again. Although such research involves a lot of money, potentially millions, the Bill explicitly states that the commissioner can commission it.

As the Bill goes on, we get into even deeper water. Clause 9(1)(c) states that the commissioner can

"give assistance to a child or a person acting on behalf of a child, which may include giving advice (including legal advice) or arranging for legal advice or for legal representation".

My hon. Friend the Member for Gainsborough could tell me—although he is probably too modest to do so—that that rather bland provision could become very expensive very quickly. What would happen if the commissioner frequently decided to take counsel's advice? The bill for that could add up at an alarming rate. Although I have no doubt that that would all be very well justified, the bill for it would be huge.

It gets even worse. The final kicker in all of this is clause 9(1)(d), which states that the commissioner may

"give financial or other assistance to any organisation for the purpose of encouraging the promotion by children of the interests of children."

So now the commissioner has an open cheque book to give any sum that he chooses to any organisation that manages to persuade him that it is doing a rather good job on behalf of children.

Given that the commissioner's whole remit is as stated in the Bill—to act on behalf of children—how often will he say no to those organisations? What would happen if

one of the peculiar organisations that my hon. Friend the Member for Gainsborough described earlier or some of the more respectable ones presented an idea for a project—always, of course, in the interests of children—and said, "We need this money, and if you refuse us we will be out there telling people that you are letting children down." Will the commissioner say no? I doubt it very much indeed.

The implications of clause 9 are absolutely enormous and the sums involved are potentially gigantic. The provision encompasses publications, legal advice, assistance, money, hand-outs, donations and subsidies—but I did not hear very much about that from the hon. Member for Lancaster and Wyre.

Mr. Leigh: We heard nothing about it.

Mr. Forth: No; we have heard very little.

Mr. Desmond Swayne (New Forest, West): Has my right hon. Friend given any thought to the other side of the equation, and the fact that another party will be involved when all that expensive legal advice is taken and legal proceedings are initiated? The other party may be a parent, but it may also be a private charitable organisation that is not so lavishly funded and has to foot its own bill when it is so unfortunate as to be the opposing party in such a dispute.

Mr. Forth: I am very grateful to my hon. Friend for making that very important point.

Mr. Leigh: The other party could be a school.

Mr. Forth: Yes. Potentially, the Bill will set one taxpayer against another, or all of us as taxpayers against each other. It is a very familiar and distressing phenomenon. As the Minister will know, that phenomenon is becoming distressingly frequent in the health service. If the matter involves a public body, taxpayers may end up having to fund both sets of legal representation. That possibility arises under the terms of clause 9.

The Bill's attempt at a saving provision does not succeed at all, although in fairness—I want to be fair, as hon. Members would expect—clause 9(2) states:

"In deciding whether to give assistance under subsection (1)(c)"—

on legal advice—

"the Commissioner shall have regard to—

"(a) the availability of such assistance elsewhere".

The assistance could come from elsewhere, such as from lawyers acting pro bono or a public body such as citizens advice bureaux.

Subsection (2)(b) states that, in deciding whether to give assistance, the commissioner shall have regard to

"Whether in the Commissioner's opinion an important question of principle is involved"—

that is an interesting one, but I am not sure that it is that reassuring—or to

"what is in the Commissioner's opinion the most efficient and effective means for the discharge of his duties".

I do not think that that helps us very much either. Of course the commissioner is going to say, "It was the most effective and efficient way of doing it, honest, when I gave out all that dosh to all those people who came along and asked for taxpayers' money. Of course I thought that it was the most effective and efficient way. I am not going to say otherwise, am I?" Therefore, even the Bill's attempt to provide some reassurance to the taxpayer or the House does not succeed very well.

Then we come to clause 10, which I touched on earlier. My hon. Friend the Member for Gainsborough may have a view on this provision. It states:

"Where the Commissioner considers it necessary or expedient for the promotion or protection of the interests or rights of children, he may—

(a) prosecute or defend or appear in any legal proceedings".

I am not sure what "any legal proceedings" means; I will need advice on it. Does that mean that the commissioner can barge into a courtroom, uninvited, and say, "I am here on behalf of the interests of children and I am going to prosecute or defend"? Does the provision mean that? That is what it says to me. I can read only what the Bill states.

That provision strikes me as being absurd. It also carries the implication—unless I am told that, nowadays, laymen can appear in a courtroom at will and perform the role of prosecutor or defender—that the commissioner will have to be a legally qualified person.

Mr. Leigh: I am afraid that clause 10(a) does mean that the commissioner can appear in any legal proceedings although he is not a principal party in those proceedings.

Mr. Forth: That is what I rather feared. I can only begin to imagine what implications such a provision has for our judicial system. I should have thought—unless I am otherwise advised—that it also suggests, as a matter of practicality if not law, that the commissioner would have to be legally qualified. That would be another constraint that I could add to the ones that I gave earlier, on gender, ethnicity, regionality, expertise, experience, probity and all the other ones. The commissioner will have to be legally qualified. I would bet that the Bill's promoter did not have that in mind when he drew up the Bill.

Mr. Leigh: The commissioner will not have to be legally qualified because he will be able to obtain extremely good and expensive advice from Queen's counsel who will appear for him in the proceedings.

Mr. Forth: I am grateful for that advice, but I am not sure that that is what clause 10(a) says. It states that the commissioner may

"prosecute or defend or appear in any legal proceedings".

Perhaps my hon. Friend is telling me—of course I defer to him in the matter—that that could be interpreted as someone who may appear on his behalf. That would get round the need for legal qualification. Perhaps I misunderstood that provision. However, as my hon. Friend said, there is a cost element to the provision. Then again, as the budget is unlimited, that does not matter.

The Bill goes on to say that the commissioner may

"in his own name make representations in the interests of children at any public inquiry".

[Mr. Forth]

Again, we have the image of the commissioner barging into a public inquiry and saying, "Oi, I have something here to say on behalf of children." He may be invited. He may have nothing to do with the matter. The inquiry may be taken by surprise, as the commissioner may or may not appear by appointment. Nevertheless, the Bill says that he will have statutory authority to make

"representations in the interests of children at any public inquiry held".

It does not say "to" any public inquiry, but "at" any public inquiry. Therefore, at his discretion, the commissioner has an absolute right of appearance at a public inquiry.

How far are we being expected to go in the Bill to give the commissioner those types of powers? Are we really suggesting that, starting as we did with the interests of children in the United Nations convention, we should end up with clause 10 with all its implications for powers, budget, money, intrusion, demands, requirements and compliance? Is that really where we want to take ourselves? I think not. The whole Bill is entirely misconceived.

Clause 11 says:

"If a Minister of the Crown proposes—

(a) to present a Bill which . . . significantly affects children; or

(b) to make a statutory instrument under any provision of an enactment where that provision significantly affects children

he shall first consult the Commissioner."

That might not seem too unreasonable, but I suspect that there will be relatively few pieces of legislation that could have no effect on children. One way or another, most legislation will affect children, so the commissioner's diary will be very full of consultations with Ministers about the proposed contents of legislation.

Can a Minister say to the commissioner, "Well, I've heard what you've said, old boy, but I'm not going to act on it"? The commissioner will then be out there spinning furiously about how he advised the Minister that this or that measure was inadvisable in the interests of children but was ignored. That puts Ministers in a difficult position—deliberately. I am not sure that it sits comfortably with our constitutional arrangements or the accountability of Ministers to Parliament—not to a commissioner. If clause 11 were interpreted in the wrong way, it would be a novel and alarming development.

Clause 12(1) says:

"The Secretary of State shall with the agreement of the Commissioner produce a code of consultation".

Does that mean that the commissioner has a veto? I think so. If the Secretary of State cannot get that agreement, we cannot have the code. That is a powerful provision. Rather than saying that the commissioner shall have a reasonable input, it seems to suggest that he will tell the Secretary of State what to do. Are Secretaries of State, accountable as they are to the House, to be even more accountable to the commissioner? Incidentally, the Secretary of State will have appointed the commissioner, which implies a rather incestuous relationship. We know that such relationships can go rather wrong.

All in all, I am not sure that I am persuaded that the Bill is a very good idea. I think that I have detected the odd flaw. Fortunately, we have plenty of time, so I am hoping that, as the day winds on, my hon. Friend the Member for New Forest, West (Mr. Swayne), the Minister and, ultimately, the Bill's promoter, will be able to answer some of my questions. I see the promoter nodding. He is obviously confident, and perhaps he will be able to persuade me, but he will have a bit of a job on his hands because I do not think that the aims of the Bill are well founded or relevant—and even if they were, it goes completely the wrong way about achieving them.

11.53 am

Mr. Mark Todd (South Derbyshire): I do not intend to detain the House for quite as long as the right hon. Member for Bromley and Chislehurst (Mr. Forth), who certainly presented some telling points on amendments that might be made to the Bill. As a supporter of the Bill, I should be interested to hear his thoughts on it in Committee, where we might improve some of the clauses that he is worried about. I do not seek to defend the Bill line by line.

I congratulate my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on promoting the Bill. In his four years in Parliament, he has established a tremendous record as a supporter of children's interests. The Bill is merely a further step in that. I also commend the Government on the many measures that they have taken to assist children: the children's tax credit; the working families tax credit; the child care credit; the substantial increase in child benefit; sure start; record increases in spending on schools; initiatives in pre-school and after-school care; and initiatives to protect children in care.

Probably the most consistent direction of change in the tax and benefit system over the past four years has been towards helping children, and especially children in poverty and those with working parents. That deserves commendation.

It is possible to argue that many of the changes are functional, improving the efficiency of our work force and parents' income, rather than focusing specifically on the well-being of children. They are likely to affect children's well-being, but are not entirely child centred. We need a child-centred strategy focused on an objective analysis of children's needs and on strengthening support for families while recognising the increasingly fractured and fluid nature of our society. We need objective monitoring and advocacy for children, which is what the Bill proposes.

Opposition Members have said that the right guardians for children are either existing public representatives or parents. That goes to the heart of whether we need a commissioner. We must recognise that strategies based largely on the work needs and income of parents neglect the needs of a minority of children—sadly, a minority about whom we hear all too often—who are not their parents' priority.

There was a tragic case in my county—not in my constituency—only recently, of a child murdered by one of her parents. It appalled people locally that that had happened, and that the family were known to social services. It seemed that an error by those concerned with the care of the child had led in part—we must always say that; the people responsible were those who perpetrated the awful crime—to the child's death. We read frequently of such shocking experiences.

Those who talk constantly about the rights of parents—I am a parent myself—must recognise that some parents do not have the well-being of the child at the heart of their relationship or at the centre of their life. We must recognise the need to protect against the extremes and the exceptions as a key facet of public policy.

It is clear that our social services are not always sufficiently resourced or trained to identify abuse and to protect the child. Our historical tolerance, as a society, of assault on the child under the protection of parental discipline makes child protection harder in this country. Distinguishing clearly between the action of a parent in correcting a child and assault on a child is a difficult task and one that is often hard to explain. The matter is clear to me, because I do not believe in assaulting a child in any circumstances. It is harder for our public authorities to carry out their duties when the law in this area is unclear.

The Bill proposes several key steps, including the publication of an annual report. I listened with amusement to the right hon. Member for Bromley and Chislehurst—it is always worth listening to his thoughts—on the subject of annual reports; to be honest, I recognised the picture he drew of them. However, some critical analysis of the views of the children of our country about the services that they enjoy—their well-being, how services work and how effective they are—would be of value to us. Assembling the various items of information relating to children's services into one publication that we could all understand and read, and which we could monitor over a period of time, would be of assistance. I recognise that it could be said that we could collect all that information from a variety of other publications, but we would not then get the comparative picture or the total strategic vision that we require to consider how services for children operate.

I do not take the dismissive view of the UN convention—or, indeed, of all UN conventions—held by the right hon. Member for Bromley and Chislehurst. I heard his remarks about foreigners. I presume that there are no foreigners in Bromley and Chislehurst. If there are, we can assume only that the right hon. Gentleman does not feel the need to listen too hard to their opinions. Clearly, they do not have votes; except in local elections, obviously, if they are citizens of the EU or of Ireland. We note his thoughts on that.

I believe that if Her Majesty's Government sign up to a convention, they do not do so because they would look like the bad guys of the world if they did not. I believe that they are demonstrating some degree of commitment to those goals. We have an obligation to try to live up to the commitments that we have made—and, dare I say it, the commitments that we have encouraged others to make.

I take the view that other countries look carefully at the record of this country and of its Ministers and attempt to listen to what we have to say. If we make commitments, they look to us to keep them—just as we would expect others to keep to commitments that we had encouraged them to make. It is reasonable for us to take those responsibilities seriously.

The commissioner is to be given investigatory powers. Some valid points were made by the right hon. Member for Bromley and Chislehurst about how those should be exercised, with what brief and with what limits. It may surprise the right hon. Gentleman, but I listened with interest and agreement to some of his thoughts about risk, for example. I would also take a cautious view on allowing any public official a free rein to do precisely as they felt inclined—however worthy they might be and however thoughtfully they might have been appointed by the Secretary of State. There should be a limit, but there is a place for investigatory powers, however they are circumscribed.

The last issue is the joining-up of the arms of government. We have not heard my hon. Friend the Minister yet, and I am sure that he will give a thoughtful response. However, one of the defences offered in this matter is to say that all these activities are currently carried out by various arms of government; why do we need another agency to seek to force others to do what they are supposed to be doing themselves? There are already people who are supposed to be doing that work, including councillors or Members of Parliament, through their influence on Government. Why do we need a commissioner—an unelected individual—to do that task?

My answer is based on four years of experience here, but perhaps just as significantly, on my years of experience as an ordinary citizen, a councillor and a business man. Our civil service structure and the mechanism of government in our country is not focused on the needs of individual citizens of groups of citizens, in this case, children. Instead, it tends to be internally focused and driven by the agenda of a particular Department and its strategies. That produces lacunae—areas that we miss and do not explore, or weak areas where two or three public agencies consistently fail to produce a joint response.

The right hon. Member for Bromley and Chislehurst made a legitimate remark about the handling of the foot and mouth crisis, which could also apply to this area. It is difficult to get various public agencies to join together to defeat a common enemy. We should think carefully about strategies to deal with that inadequacy, and not merely dismiss the problem and say that nothing can be done and that we will have to live with the fact of departmental silos into which matters of public policy conveniently fit. We should not say that if citizens have to deal with an issue that crosses several Departments that is their hard luck, and that we must live with the gaps. That lack of interest in the delivery of modern government services serves us ill.

I have been asked where I think we are failing. I shall pick three examples where it strikes me that services to children are imperfect, and which require joined-up thinking and the actions of an individual to prompt that process. The first example is the children of travellers. I have two legal sites for travellers in my constituency, although other, less welcome individuals sometimes use them. The difficulty of ensuring that the children have access to appropriate health care, education and social services support is a challenge for any agency, especially as they may move on to another part of the country in pursuit of their legal activities. I believe that we currently carry out that task imperfectly.

The second example is the children of asylum seekers. It is unfashionable to be sympathetic towards that group. In rare cases, children are themselves asylum seekers. Do we respond adequately by providing them with timely advice and support, placing them in circumstances in which we would expect our own children to be placed if

[Mr. Mark Todd]

they were in desperate need and required the comfort and company of other children and the services that other children would expect?

The third example is children who are forced to leave the parental home at the age of 15 or 16, and have to live off their wits. They have to find accommodation and deal with the benefits system, which discriminates against young people in delivering their housing needs, in order to bias their choice in favour of staying at home with their parents. I would want that always to be the choice of any child, especially my own child, but we must face the fact that in extreme circumstances children leave the family home out of fear and out of a need to find a comfortable and safe place to go. We are currently failing those young people, and have not yet worked out the appropriate benefits system and housing obligations to respond to their needs.

I thought of those three examples while I was listening with care to the right hon. Gentleman's speech. I did not spend a great deal of time researching them, but they struck me when I considered what I would ask the commissioner to address at an early stage in his task.

I do not think that our public services act with a unity of purpose focused on a particular citizen or group. They tend to neglect those who are powerless, including children, who are unrepresented and have no vote. It is part of our culture that children's interests should be reflected through the interests of their parents, but we must recognise that that sometimes fails children.

We have an opportunity to take a step that would help children to have their voices heard. I have listened carefully to the points made about children not being entitled to vote or undertake various forms of activity. It is suggested that society therefore regards children as unable freely to exercise choice, and that is an understandable argument. Any opinion offered by a child must be taken in the context in which it is given; I listen carefully to the views of my eight-year-old, but I do not expect him to be able to advise me on complicated technical subjects.

I expect the commissioner to edge society's attitudes to children towards a willingness to listen, when appropriate, to what children have to say. He or she should link the arms of our Government more efficiently so that we can better deliver support. Our experience could lead us to emulate the other nations of the United Kingdom in taking that step. I shall listen with interest to the Minister's response to the legitimate view that what appears to be right for the other nations appears to be wrong for England. The logic of that argument loses me entirely, although the right hon. Member for Bromley and Chislehurst would doubtless tell me that the other nations have simply taken the wrong decision. Those actions have been taken elsewhere, by my party in Scotland and by the Government themselves in Wales. I should be interested to hear how that apparent inconsistency is addressed.

Mr. Forth: The hon. Gentleman makes an interesting point, but the Government's position on the commissioner is peculiarly consistent with their view that it is justifiable to have a Parliament in Scotland, an Assembly in Wales and an Assembly in Northern Ireland when there is nothing to represent the views of the people of England. I rather resent that, as I support an English Parliament, but not having a commissioner in England is absolutely consistent with the constitutional arrangements made elsewhere.

Mr. Todd: I take that point, although I vigorously defend the argument that the individual nations must make their own legislative arrangements. I should like to hear an intellectual exchange comparing best practice, so that we could decide whether the actions of one nation should be replicated elsewhere. If the Minister makes a persuasive argument that circumstances in England are clearly different from those in Scotland, Northern Ireland and Wales, I shall accept it. It may be so. I do not necessarily take the view that arrangements should be the same in all countries, but I want to test the arguments so that I may work out whether those arrangements should be replicated in England.

I am a realist, so I know that we will have no opportunity to pass the Bill into law during the current Parliament. We can, however, set an important pointer regarding the direction that public policy towards children should take. I hope that we shall take that step today, and that the Government will include a commitment of this kind when, in due course, they construct a manifesto for the people of this country.

12.14 pm

Mrs. Claire Curtis-Thomas (Crosby): It gives me great pleasure to speak in the support of the Bill. I congratulate my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). As many of us know, he has diligently fought the case for children since his election to Parliament, and I speak for many parents and children who are grateful for his continuing commitment. I shall focus on clauses 9, 10 and 12, even though clause 9 has already been discussed at length by Opposition Members and some reference has been made to clauses 10 and 12.

I bitterly regret that we have not yet been able to establish a commissioner for England. I warmly applaud our action to establish a commissioner for Wales, although I recognise that that was a manifesto commitment of our party in Wales. The establishment of a commissioner for England would be a suitable manifesto commitment with which to go to the country.

Clause 9(1)(a) empowers the commissioner to

"publish and disseminate information about children".

Like many hon. Members—perhaps not so many—I am keen on statistics, especially those that are valid, relevant and objective. We receive many documents, brochures, pamphlets, notes and letters from all and sundry quoting a plethora of statistics, but I am always concerned to discover the source from which the statistics arise and the research activity that underpins them. Often, if the research structure is a valid one that can bear scrutiny, the statistics carry considerable weight.

Like many hon. Members, I recently received an excellent document from Mencap—its manifesto for the next election. It mentions equal rights and a series of other issues that affect people with learning disabilities. Mencap cites the fact that nine out of 10 people with learning difficulties have experienced bullying and harassment in the past year. I declare an interest as the mother of a daughter with severe learning difficulty, the sister of a person with learning difficulties, and the daughter of a mother who suffered quadriplegia.

I find information of the sort that Mencap quotes extremely interesting. However, there is no reference to, nor was Mencap able to draw my attention easily to, the source of that information, with the result that many would dismiss it because it appears to be anecdotal. I feel that there is significant merit in the assertion, but insufficient substance to enable me to argue on Mencap's behalf for better regulation.

It is, therefore, with great pleasure that I welcome clause 9(1)(a), together with clause 9(1)(b), which further empowers the commissioner to

"undertake or assist (financially or otherwise) the undertaking by other persons of any research".

It is vital that we have available at a single source a repository of information and research about children, their welfare and activities in the United Kingdom. For many of us pursuing community cases that have direct relevance to children, having to approach myriad organisations in the attempt to obtain justice for those individuals is highly problematic. Most of us know that, even after an initial experience that gives cause for optimism, a positive outcome or positive redress are extremely difficult to secure.

There is in my community a child for whom I have sought justice for many years. That person has now passed into adulthood, which presents a series of different problems because when a child turns 18, different legislation starts to apply, but let us ignore that for now. To obtain justice for that child, who has been abused, I have had to hold discussions with the health authority, several police authorities, several social services departments in more than one county, several councillors, several other Members of Parliament and the parliamentary ombudsman—the list is infinite.

I despair of the fact that, after so many years, we have made no significant progress. In such cases, people who cannot defend themselves and will never be able to do so have to rely exclusively on the interest of an individual who is neither related, nor paid to advocate on their behalf. Even with the incredible commitment shown over the years by the person I described, we have been unable to ensure that justice was done. That is because although a plethora of bodies are involved with children, they are accountable to no central organisation.

I have supported my hon. Friend the Member for Lancaster and Wyre in his crusade for the establishment of a children's commissioner because of that case. A children's commissioner would help enormously. I do not think that the clauses would provide individuals with a great liberty that they would abuse or misuse—rather they would offer children who cannot speak for themselves an opportunity to obtain justice that is currently not available to them.

As an aside, I am sure that, like me, my hon. Friend welcomes the appointment of a Minister with responsibility for children. I was delighted about that, and have invited the Minister of State, Home Office, my right hon. Friend the Member for Brent, South (Mr. Boateng), to visit my constituency in a couple of weeks.

A commissioner for children would be useful in youth disturbance cases. There cannot be a constituency that is not troubled by young people—if there is, I should certainly like to talk to the hon. Member who represents it. However, perhaps young people become troublesome only when we cease to be young ourselves. When I was a child I certainly used to go out and about in the streets, laughing. However, many of my constituents are extremely concerned about young people who are merely going about their business—exercising the right to meet in their community—and want those young people taken away immediately. Some people even want such young people to serve periods of incarceration.

That may be a minor example, but young people represent a threat to many people in my community and we have tried to tackle the problem. Penalties are not necessary for such children—incarceration is certainly not necessary; we need constructive responses. A commissioner would be extremely helpful in that regard.

In our attempt to address the difficulties generated in my community by young people—some of whom are exercising the legitimate right to meet and to congregate, although others are intent on making mischief and, in many cases, cause substantial damage—we have involved a series of organisations: the local authorities; the local youth offender team; the youth team; the health service; the police; local councillors; Members of Parliament; the Department of Health; the Department for Education and Employment; social services departments; the Prison Service; and the National Society for the Prevention of Cruelty to Children. If I had more time, I could think of many others.

All those organisations have an explicit mandate to intervene and support the promotion of healthy practices and good communities and to encourage children to do well and realise their potential. However, there are serious communication difficulties between those organisations. It would have been of enormous help to my colleagues and me if we could have approached one individual to ask for help in the difficulties that we faced. I fear that, although we may arrive at a workable solution in my community that could be grafted on to other areas, there is no framework whereby we can disseminate that information and make it known. Clause 9(1)(a) and (b) are therefore very important to the establishment of a repository for information and the provision of research services.

I should like to refer to the important provision—clause 9(1)(c)—which states that the commissioner may

"give assistance to a child or to a person acting on behalf of a child, which may include giving advice (including legal advice) or arranging for legal advice or for legal representation".

That is crucial. We are foolish to presume that all parents and relatives, or even the friends and carers of individuals who have suffered from some form of abuse are capable of organising suitable legal advice for those individuals. In fact, I know of some parents with learning difficulties who have children with learning difficulties, and they are not able to do that.

As a parent of a daughter with a learning difficulty, I do not know whether I could organise appropriate advice and services for her, because the amount of information available on specific organisations and individuals who work exclusively in that specialty is, again, very fragmented. So the establishment of a commissioner, who can oversee and provide guidance on legal advice and representation for children, is extremely important.

I am in favour of clauses 10 and 11. With specific reference to clause 11, I believe that, for too long, many measures that primarily affect children have been passed without the impact on children being specifically defined.

[Mrs. Claire Curtis-Thomas]

My normal interests in the House lie in business, industry and technology, and I am delighted that legislation must be accompanied by a regulatory impact assessment. Such an assessment deals with the costs of compliance and the possible impact on business of the legislation, but it could be extended so that its impact on children could be considered.

Many hon. Members have worked in local authorities and they will be aware that the introduction of an environmental impact assessment was greeted with some joy, and trepidation, especially by those of us responsible for executing the assessments. Under that provision, all local authority policies must refer specifically to the likely impact on the environment. I regarded that as an onerous task when I worked in local authorities. Nevertheless, I understood why it was a useful exercise; it informed the individuals who drafted new local regulations and allowed them to be mindful of the wider picture when seeking to introduce measures to resolve what appeared to them to be a very small problem. The same is true for any legislation that can have an impact on children.

Furthermore, I believe that the commissioner would have an active role in relation to parents' rights and, importantly, children's rights. I was very saddened to hear that so many people still think that beating children is an effective means of promoting good behaviour. I suspect like many other hon. Members, my parents thought that physical punishment was very positive. In fact, physical punishment is not a positive way to treat children. I am still puzzled by the fact that we have so many laws to protect adults who are physically abused, but the same protection is not afforded to children. A commissioner would act as a focal point for organisations seeking to address the anomaly that provides people aged 18 and one day with significant protection and those aged 18 minus one day with very little.

I am particularly interested in clause 12, which deals with the code of consultation, because it relates to aspects of clause 9, which I have talked about at length, and the development of statistics and an information base. Consultation is imperative, and we have only recently begun to develop consultation in this country. I am involved in a constant round of consultation with my community. People welcome involvement. A meeting was held in my constituency recently to discuss the problems associated with young people, and more than 200 people attended. In the past, decisions about the management of young people in the community were made not by those who would be affected by them, but by the local authority and the police. I am delighted to be part of an Administration who have brought about a sea change in community relationships. I am disheartened to hear that some hon. Members would never consider consulting children.

I hold regular children's surgeries, and I often wish that the wisdom that children bring to those surgeries could be imparted to some of the adults who come to see me. Children seem to have a much kinder view of the world and some of their solutions seem to be eminently rational. That rationality seems to diminish with time.

I hope that hon. Members will indulge me while I share with them a discussion I had recently with an eight-year-old. She asked me whether we were going to do anything about smacking, and I said that I did not think that there would be a law against smacking in the near future. She said that she was smacked by her mum, who was into keep fit and therefore smacked her quite hard. I asked her whether she approved of smacking, and she said, "No, because it does not make me or my friends behave any better, and I won't do it when I get older." I had to contrast that conversation with a letter about youth offenders from another constituent, who said that the problem could be resolved only by beating them all regularly and if one passed his front door, he would rush out immediately and beat him because of course he was very interested in the welfare of his car. I tried to impart to him the wisdom of that eight-year-old, but he was not particularly interested.

A commissioner would be very interested in children's views and would give them the respect and dignity that they deserve. I have learned a great deal from the children whom I represent. I am conscious of the fact that they will shape my world. I want to make sure that they are treated with respect, that their human rights are acknowledged and that they are championed by individuals.

Mr. McCabe: My hon. Friend is correct to say that we could learn a great deal by listening to children, but if we are concentrating on rights and the commissioner's role in upholding them, we might consider the horrendous example of the Bulger case. Would the commissioner's role have been to uphold the rights of Jamie Bulger or those of the youngsters who perpetrated the crime?

Mrs. Curtis-Thomas: I thank my hon. Friend for posing that question, especially as Jamie Bulger was murdered in the constituency adjacent to mine. The ramifications of the incident have had a great impact on our communities. Opinion is divided. I remain committed to the view that no child is born evil and that we have a moral duty to all children, irrespective of whether they are the perpetrators or victims of a crime, to ensure that the environmental or biological factors that might cause them to become people who threaten and abuse society are addressed and that they are treated as humanely as possible.

Many in my community still believe that the people who murdered Jamie Bulger should be incarcerated for life. That is a sad reflection on our society. The commissioner would have a difficult role in such crimes, but he could make a positive contribution. Too many opinions do not have a channel through which they can be driven to form a collective view.

I reassert my commitment and enthusiasm for this important Bill. I hope that the Government see fit to introduce such a measure shortly. I have not discussed all the clauses that are worthy of consideration, but they require work to make them more robust so that they can operate within the existing legal framework and complement the work of child protection organisations.

12.37 pm

Mr. Desmond Swayne (New Forest, West): It is always a pleasure to follow the hon. Member for Crosby (Mrs. Curtis-Thomas), who is persuasive and measured, even though I might profoundly disagree with her. I congratulate the hon. Member for Lancaster and Wyre (Mr. Dawson) on the way in which he proposed the Bill.

He always speaks passionately on the subject, to which he brings his long-standing professional experience. He has been assiduous in raising the issue in this Parliament, and I pay tribute to him for his work in that respect.

We support one theme that runs through the Bill, and we give credit to him for that. The Bill is part of a continuum, stretching back to 1989, when the Government of Baroness Thatcher signed up to the European convention on the rights of the child. Lady Thatcher was a good thing—as is the convention, which the Bill seeks to reflect. Article 5 of the convention states:

"States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention."

That is a powerful reinforcement of the proper rights and responsibilities of parents.

Dr. Whitehead: Does the hon. Gentleman think that the convention has substance, or does he agree with the right hon. Member for Bromley and Chislehurst (Mr. Forth), who said that the Government signed up to it only so that they would not be the bad guys and so that it could be safely disregarded?

Mr. Swayne: My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) gave us a characteristically robust view of the way in which many conventions are signed up to. I do not have his experience to say whether that is generally true. However, a Conservative Government signed up to this convention and they took it seriously. We introduced the Children Act 1989 and we want the provisions of the convention to be adhered to.

It is precisely because we take article 5 so seriously that, in the debate on the Children's Commissioner for Wales Bill on 16 January—a debate to which my hon. Friend the Member for Gainsborough (Mr. Leigh) referred—we tabled an amendment that would have denied the Bill a Second Reading. We thought that the Bill was inconsistent with the convention, so our amendment said that

"this House declines to give a Second Reading to the Children's Commissioner for Wales Bill because it fails to assert the importance of the family in protecting and nurturing children; it fails to give families confidence that the Children's Commissioner will protect the interests of their children whilst not impinging on the rights and responsibilities of parents".

I do not want to go over the argument that we had on 16 January, but I have drawn attention to the amendment because it sprang from our understanding of what we regard as an important convention.

Article 4 is specifically relevant to this Bill. It states:

"States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention."

Our adherence to that article provides the context against which we judge the Bill. The establishment of a commissioner for children's rights is consistent with that article.

Mr. Dawson: Do the Opposition support the principle of a commissioner for children's rights for all children or for particular groups of children?

Mr. Swayne: I will come to that point and will make our position abundantly clear. The question is one of emphasis, and I shall develop this point. We specifically regard the commissioner's direct function as looking after children, but he has an important role in co-ordinating public policy for all children's issues. However, I shall make that distinction rather clearer as I develop my argument.

I wish to place the Bill in its historical context. We signed up to the convention in 1989, and the Labour party joined that bandwagon—indeed, it may have been part of it from the convention's inception—and it supported that agenda. In its manifesto for the general election in 1992, it said:

"We will establish a children's minster within the Home Office to co-ordinate policies for children across departments. One independent children's commissioner will promote the interests of all children. Protecting children will be high on the agenda, as will the full implementation of the children act and the UN Convention to promote children rights."

That was up front as part of the Labour party's agenda in 1992.

When the Labour party came to power, the emphasis changed slightly. In November 1997, in answer to a question tabled by the hon. Member for Lancaster and Wyre, the then Under-Secretary of State for Health, the right hon. Member for Brent, South (Mr. Boateng), said that the Government had no plans to introduce a commissioner for children's rights, although he clearly said that they would consider the advantages as they produced their second report to the United Nations as part of their obligations under the convention that we signed in 1989.

In July 1997, the hon. Member for Lancaster and Wyre introduced his first ten-minute Bill on the subject. In February last year, Sir Ronald Waterhouse reported, having been commissioned to look into problems that occurred with children in care in Gwynedd and Clwyd since 1974. The original commission was established by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague).

On 17 March last year, the House debated the report. Although its recommendations were wide ranging, they were very clear in respect of what are now the provisions of the Bill. Sir Ronald recommended that there should be a Children's Commissioner for Wales with a wide-ranging remit, but that he should be a commissioner for all children. He should ensure that their rights were respected; that there was monitoring and oversight of complaints and, indeed, whistleblowing arrangements; and that there were arrangements for children's advocacy. The report also recommended that he should have power to examine the handling of individual cases, and to produce reports. Much of that agenda is now in the Bill.

May last year was a busy month in respect of the children's agenda. The hon. Member for Lancaster and Wyre introduced his second ten-minute Bill on the subject, and the National Assembly for Wales adopted a report produced by its Health and Social Services Committee calling for the establishment of a commissioner for Wales—again, a commissioner for all children in Wales. Then there was the Second Reading of the Care Standards Bill, during which my hon. Friend the Member for Woodspring (Dr. Fox) said:

"The Government are committed to providing a children's rights director only for looked-after children. We believe that the provision should go further. Almost all children's charities and professionals support the idea of a children's commissioner. The model that I

[Mr. Swayne]

suggest would allow protection and advocacy without interfering in the rights of parents."—[*Official Report*, 18 May 2000; Vol. 350, c. 496.]

It is clear from the Second Reading debate that we were attempting to address the agenda to which the hon. Gentleman has drawn attention—the wider remit that goes beyond just children in care. True to our word, at the 18th sitting of the Standing Committee we moved three new clauses and a new schedule to give effect to the commitments that we had given on Second Reading.

Mr. Dawson: I find what the hon. Gentleman is saying extremely helpful. He rightly says, as did I, that the United Nations convention on the rights of the child refers frequently to the importance of family relationships and the roles, rights and responsibilities of parents. What is there for the hon. Gentleman to worry about? Why does he feel that, in implementing the convention, the commissioner will infringe the rights of parents? That is what he has said, and that is what the hon. Member for Gainsborough (Mr. Leigh) said earlier.

Mr. Swayne: I want to be absolutely sure that the commissioner does not infringe those rights, and I want any Bill to contain provisions that ensure that he does not. It is for parents to speak for their children, to look after them and to protect their rights. Many children, however, have no such parents to do that on their behalf. It strikes me that there is a proper role for a commissioner to do that for them, which must be distinct from the role performed for children who do have families. However, there seems to be a role for a commissioner to co-ordinate all the Government's policy with respect to children, as distinct from specifically looking after administrative arrangements for looked-after children.

Mr. Dawson: Does the hon. Gentleman accept that, in what can be ostensibly well-ordered and thoroughly respectable families, the most horrific physical and sexual abuse can take place and that the distinction that he is trying to draw is impossible?

Mr. Swayne: No, because there are already procedures and proper roles for the public authorities to deal with those tragic, undesirable occurrences. As a consequence, a child may properly move from being in a family to being a looked-after child in the care of the local authority. It would be proper for them to have recourse at some stage to the services of a commissioner, but it is a point that I hope to develop or to clarify as I move on.

Our intention in moving the new clauses and the new schedule at the 18th sitting of the Committee that considered the Care Standards Bill was twofold. Sir Ronald Waterhouse recommended an independent commissioner. In the Bill, the Government's children's rights director for England was an employee, a member of the National Care Standards Commission. The Government's amendments with respect to creating the Children's Commissioner for Wales made him very much an independent commissioner, in line with the report's findings and the desires of the National Assembly. We sought to amend the Bill to create the same independence for the commissioner in England as for the Welsh commissioner.

I honestly do not believe that, had Sir Ronald's investigation related to events taking place in England, it is likely that he would have recommended anything other than an independent commissioner for children. It is disingenuous to suggest that the recommendations relate specifically to particular events that took place in Wales and that we should not extrapolate to England. Therefore, our agenda was to create precisely the same form of independence for the commissioner in England as for the commissioner in Wales.

Mr. McCabe: Does the hon. Gentleman accept that the decision to establish a Children's Commissioner for Wales must be seen in the context of the inquiry into abuse in north Wales? Had a similar inquiry occurred in England, the recommendation may have been the same. The reality is that we have not had such an inquiry in England. Undoubtedly, the demands for a commissioner in Wales were heavily influenced by the fact that there was an inquiry into abuse in children's homes and the statutory sector there.

Mr. Swayne: In one way, I do not agree with the hon. Gentleman, but in another I do. I agree that the events in Wales influenced the demand, but we had a Bill that dealt with the creation of a commissioner in Wales and a children's rights director in England. Given that we were examining in one piece of legislation those two positions, one could have extrapolated from the experience in Wales and said, "Sauce for the goose is sauce for the gander." We have devolution and different administrative arrangements, but I would have thought that there would be no logic to different arrangements in this respect.

The Minister of State, Department of Health (Mr. John Hutton): The hon. Gentleman said that the measures that his party moved during proceedings on the Care Standards Bill were designed to incorporate provision similar to that for Wales. However, he will be aware that a Bill to establish the Welsh commissioner had not been published at that time.

Mr. Swayne: New schedule 1, which the Government tabled for the 18th sitting, set out the arrangements for the Welsh commissioner. The Bill that we discussed in the House only last month develops that role, but the establishment of the Welsh commissioner was based on the measure introduced by the Government. Our new schedule 2 was identical in every respect to the Government's new schedule 1, save only that it would have created a commissioner for England rather than one for Wales.

All along, the Government's position was that the children's rights director would have sufficient independence as a consequence of the way in which the National Care Standards Commission was constituted. That argument had some force, although we disagreed with it. We would have preferred to have provided the same independence as appeared to have been afforded to the Welsh commissioner. That battle was fought in the Committee and, unfortunately, we lost.

Our next concern was that we wanted to go further than the Government in terms of the remit of the children's rights director. Here, I share part of the agenda of the hon. Member for Lancaster and Wyre. Sir Ronald wanted a commissioner for all children, but the Government

delivered a children's rights director for looked-after children. Let me make our position absolutely clear. Sir William Utting's report, "Taking Children Seriously", observed in its foreword:

"We lack an independent office mandated to protect the interests of children in general on all matters of public policy and administration that affect their lives."

We take that seriously. We believe that there is a role for a children's commissioner with a function relating to children being looked after by the statutory services, but that he should also have a wider function relating to the work affecting children that the Government carry out across all Departments.

We take a two-pronged approach, and the primary role is undoubtedly with respect to looked-after children. Out of the failure of the state as a parent sprang the reports of Sir William and Sir Ronald. Last Friday, we debated the Adoption Bill. The previous Monday, we discussed the Government's Adoption and Children Bill. All the Members who spoke showed how comprehensively the state has failed, over many years, to protect looked-after children in its care.

Again and again, we heard that, at any one time, between 50,000 and 100,000 children are being looked after by the state. That figure represents less than 1 per cent. of the age group, but those children are hugely and disproportionately over-represented in every single measure of deprivation, be they among the homeless; those in prison; those with poor health, particularly poor mental health; or those with a poor education and no qualifications. Fully three quarters of children emerging from care have no educational qualification at all and they lack many of the most basic life skills. One in seven young women leaving care is either already a mother or pregnant. That is a shocking statistic. What sort of chance does the child of a young woman leaving care have, apart from perpetuating the cycle of deprivation?

My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) told the House of the case of a young woman who had had 60 local authority placements in care. Although I think that such cases are clearly the exception, there are very many children who, by their 10th birthday, have had 10 local authority placements in care since their fifth birthday.

We regard creating a primary role for a children's commissioner as part of an attempt to ginger up the services available to looked-after children. Just last Friday, when dealing with clause 2 of her Adoption Bill, my hon. Friend the Member for Meriden (Mrs. Spelman) proposed a way of involving a children's rights director in an appeals process against local authorities' decisions and delays. I thought that she made that case particularly well. We may be able to give her Bill further consideration, perhaps when the Government's Adoption and Children Bill is in Committee. We see the case for establishing the role of a children's rights director, but we would go further.

We take seriously the fact that we signed up to the 1989 convention—it was, after all, Baroness Thatcher's Government who signed up to it—and we see the case for giving the commissioner a cross-departmental role to walk the corridors of power and ensure that children's interests are taken properly into account. The Children Act 1989 was a great step forward in that it changed the focus of legislation better to reflect the child's point of view. However, we believe that further progress can be made.

I accept hon. Members' point that children do not participate directly in the democratic process but are affected profoundly by regulations and legislation. It follows that there could quite properly be an independent person who has a remit to examine legislative proposals across Departments and represent the interests of children who will be affected by those proposals. In that way, children's interests will be taken properly into account in the working of Government and the legislative process. I therefore hope that I have demonstrated to the hon. Member for Lancaster and Wyre that we support the theme that runs through his Bill.

I would have favoured the House with a full analysis of the Bill, but I have been spared from doing so by the forensic analysis provided by my right hon. Friend the Member for Bromley and Chislehurst. Although my analysis of the Bill is slightly more charitable than his, his arguments had great force and I found myself agreeing with most of what he said. I did, however, disagree on one or two specific points.

Clause 1(5) states:

"The Commissioner and the Commissioner's staff shall not be regarded as agents or servants of the Crown."

My reaction when reading that was, "Good—he will be the independent commissioner for which the Waterhouse report called." That is a desirable provision, and I was pleased with it.

Clause 2(1) states:

"The Commissioner shall be under a duty—

(a) to protect the rights and interests of children".

That is another good provision.

Clause 2(1)(c) deals with the commissioner's duty

"to promote compliance with the United Nations Convention on the Rights of the Child as ratified by Her Majesty's Government".

That is an even better provision. The Bill is going very well.

Clause 2(1)(b) deals with the commissioner's duty

"to seek to ensure that the rights and interests of children are properly taken into account by Ministers of the Crown".

When I saw that provision I thought, "Excellent!" My right hon. Friend the Member for Bromley and Chislehurst complained that people go off on junkets and, after an agreeable time and agreeable discussions, sign up to conventions that they have no intention of implementing when they return. Perhaps the requirement to abide by the conventions will provide a powerful incentive to think about what they are signing up to, in the way that my right hon. Friend says they never do.

I begin to have serious reservations about the clause, however, when subsection (1)(b) says that the commissioner shall

"seek to ensure that the rights and interests of children are properly taken into account by Ministers of the Crown, government departments, local authorities and other public bodies and voluntary and private organisations when decisions on policies affecting children are taken."

After all, private and voluntary organisations did not sign up to the convention, so they should not be accountable in that way.

The subsection goes on, in paragraph (d), to say that the commissioner shall

"seek to ensure that children have effective means of redress if their rights are disregarded by any body referred to in paragraph (b)."

[Mr. Swayne]

As I have said, I do not believe that all the bodies referred to in paragraph (b) should be subject to the commissioner's investigations.

Mr. Dawson: I am completely confused. Is the hon. Gentleman saying that the convention, the signing of which, in contrast to the right hon. Member for Bromley and Chislehurst, he has lauded, is not binding on anyone other than the agencies of Government?

Mr. Swayne: Precisely. The commissioner's role is in respect of statutory bodies. A wide-ranging commissioner should not have the power to interfere with individuals. We have the law to constrain the behaviour of individuals and we must not create some arbitrary power that gives rise to all sorts of expense and investigation and is accountable to no one—certainly not to us. That is where I see a huge danger in the Bill.

Mr. McCabe: This is not a view that I would take, but if the object of the commissioner is to guarantee children's rights, would it not be absurd to extend redress only to rights in respect of particular organisations while ignoring the abuse of rights that might occur within the family or in private organisations? Is that not the most partial availability of rights of which we could ever conceive?

Mr. Swayne: No. It strikes me as a fundamental guarantee against arbitrary Government. It is the law that governs families and private individuals and organisations. We cannot have a free-roving administrative official calling them to account outside the provisions of the ordinary law.

Mr. McCabe: Let me have another go. Does the hon. Gentleman accept that, if I have a fundamental right that is guaranteed by a commissioner, that right must be the same whether it is a public body or a private individual who seeks to deny it?

Mr. Swayne: In some circumstances, if the law is framed in that way, that is true. If one has a right not to be discriminated against in employment on grounds of religion or colour, of course that right is enforceable in the courts in respect of anyone who would seek to deny it, but the Bill gives very wide powers—in addition to the judicial powers—to a roving official to call individuals to account outwith the provisions of the courts. That is where I see a grave danger. It is entirely appropriate for public bodies to be accountable in that way—although I am not sure that even the Government would go quite as far as the Bill does in respect of public authorities, and I look forward to hearing the Minister's views on that—but I would certainly not want private individuals to be swept in.

Mr. Barron: Much of what is now deemed to be public life and representation is carried out in partnership between local authorities and many charitable and voluntary organisations within communities. Is the hon. Gentleman arguing that those organisations should not be brought to task in terms of their service delivery, but that those with statutory responsibilities should?

Mr. Swayne: That is precisely the point I am making. It is quite appropriate that private organisations that work in association or partnership with local authorities should be accountable, but not to a commissioner with the wide-ranging powers specified in the Bill. That does not mean that they should not be accountable, or that they should not be subject to the ordinary provisions that already exist to ensure their accountability.

We are talking about a wide-ranging new power to hold all sorts of people to account. I would view with more equanimity the thought that the commissioner might hold Ministers of the Crown to account, and I would be interested to see what the Minister has to say on that. But I am sceptical about the provisions in so far as they affect private individuals. Clause 4(3) says:

"If it appears to the Commissioner that a person is not complying with the provisions of the United Nations Convention on the Rights of the Child as ratified by Her Majesty's Government he may make recommendations in the form of a compliance notice".

The "person" might be a father or a mother—a private individual. It is quite outrageous that a new official that we might create under the Bill could act in this way. Those families have rights, and have not signed up to the UN convention. There are, after all, all sorts of things that could come out of the convention, which contains 54 articles. I have quoted from two. The last thing I want is the creation of a new commissioner with the ability to hold to account any person whom he deems fit with respect to their adherence to the 54 different articles.

I have huge reservations about the powers that we are proposing in the Bill, and much of what my right hon. Friend the Member for Bromley and Chislehurst said was entirely accurate. After my right hon. Friend spoke, the hon. Member for South Derbyshire (Mr. Todd)—who is most reasonable in these respects—said that he had to agree with much of my right hon. Friend's analysis.

Clause 5(5) states that there is a power to

"Recover from that person any reasonable expenses incurred."

It strikes me that there is every potential here for creating a new self-financing public authority. The commissioner will be able to issue notices of non-compliance, demand reports and information and then charge private individuals, organisations, Government departments or local authorities for that service. That is unacceptable and any sensible Parliament would not pass such a measure.

Clause 6(3) states:

"No person shall be compelled under subsection (2) to give information or produce documents which he could not be compelled to give or produce in civil proceedings before the High Court."

In other words, we are effectively setting up a power so that an administrative official will enjoy, in effect, the legal status of a High Court judge. That is not acceptable.

I wonder what the Minister has to say about clause 7, which states:

"Whenever it appears necessary or expedient to the Commissioner, he may require a Minister of the Crown to provide a child impact statement relating to any decision or proposal on policy which the Minister has made and which affects or may affect children."

Ministers are properly accountable to Parliament and not to a commissioner with a roving brief.

Clause 7(3) states that

"the Minister shall comply with that request."

If the Minister shall comply with it, it is not a request: it is an order. Given the way in which the Bill is written, it seems to establish a children's rights inquisition. The fact

that it seems that way to me may be because my reading of it is inadequate or inexperienced, but no self-respecting Parliament would give such enormous, unaccountable and potentially arbitrary powers to an official. I cannot ask my right hon. and hon. Friends to support the Bill unless the Standing Committee emasculates it.

The hon. Member for Lancaster and Wyre has put an enormous amount of work into this issue. In this Parliament, he has introduced two ten-minute Bills as well as this Bill. Why did he not introduce a Bill that we could all have supported?

Mr. Dawson: Not the right hon. Member for Bromley and Chislehurst.

Mr. Swayne: Well, that the majority of us could have supported. I have tried to show—the record of our performance in Standing Committees bears me out—that there is something in the Bill and in the hon. Gentleman's agenda that we could have supported. I do not know whether it is right to describe the Bill as left-wing claptrap, but I agree with my right hon. Friend when he characterised it as the children's rights commissar Bill. That is certainly my reading of it.

The hon. Member for Lancaster and Wyre may argue that he was not trying to gain the Opposition's support—that he has his own agenda, so it does not matter to him whether he has our support. However, the Opposition's support is more important than it might otherwise be, because we are coming to the wash-up end of the Parliament when negotiations take place on what Bills will get through in the remaining days. If there had been a Bill that we could all have supported, it could have been a testimony to the hon. Gentleman, but I am afraid that it is not the Bill before us today.

Given the way in which the Bill has been written, I cannot ask my right hon. and hon. Friends to support it. I fear that it may be a lost opportunity.

1.18 pm

Mr. Steve McCabe (Birmingham, Hall Green): I do not think any hon. Member doubts the sincerity of my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) in introducing the Bill. I agree with the sentiments and intentions of the variety of organisations that have supported the Bill. Having said that, I fear that I may be a lone, sceptical or dissenting voice on the Labour Benches. I shall explain my position.

I, too, have some experience of working with children, educating those who work with children and regulating the training of social workers—that may explain why they get such a bad press. I take the matter seriously, but I have some doubts about how the Bill has been constructed, and I wonder whether its intention would be reflected if it were enacted.

The more I listened to the right hon. Member for Bromley and Chislehurst (Mr. Forth), the more I thought that, if his speech could have been stripped of the unique hyperbole and rich libertarian rhetoric that is increasingly the trademark of his contributions, he would have made some valuable criticisms of the Bill. Indeed, the right hon. Gentleman's view was a lot more consistent and clear than that offered by the official Opposition Front-Bench spokesman. I do not know about left-wing claptrap, but he gave us right-wing muddle.

My first doubt about the Bill arises from the fact that I am no great fan of tsars, regulators and overlords. In approaching a problem, there may be a danger in thinking always that the solution is to create a new overlord. I am not sure that the evidence to date proves that to be true. Indeed, some evidence suggests that, whatever our intentions, previous travels down that route may, rather than tackling the problem, have created greater bureaucracy and regulation for its own sake.

We must strike a difficult balance when we extend the rights of some and curb the rights of others, as has been acknowledged in some of the remarks that we have heard today on the rights of parents. Whether or not we agree with all the arguments made about parents, it is clear that hon. Members are worried about the balance of rights.

The key issue, particularly for those who work with or represent children, is that we need to be clearer about communications structures and lines of command. Often, inquiries into events that have gone wrong identify communications or the line of command as a source of problems. We need to pay more attention to existing procedures, and to ensuring that they are followed. Supervision of those who work with children and inspection of the processes involved are crucial. I should like greater encouragement of whistleblowing where things are going wrong.

Many years ago, shortly after I left school, I worked briefly as a nursing auxiliary in a hospital. It would then have been described as a hospital for people with a mental handicap, or for mentally defective people—we use much better terminology these days. I cannot say that I witnessed abuse, but I saw a number of activities that struck me as not being entirely fair. I had no idea, however, how to raise those matters so that something could be done. I suspect that much of the historic abuse that is now coming to light can be partly explained by the fact that people did not then know how to complain. The environment did not encourage whistleblowing, and I should like to see more of that.

We must pay more attention to what children say, particularly about child abuse. We must take their comments seriously. If we approached abuse in that way, our existing structures might allow us to do more to emphasise the rights of children and ensure that they are respected. For that reason, I am anxious about setting up more committees, proformas and reports, which might simply create far more paperwork without necessarily attacking the problem. In addition, encouraging a defensive mentality among the professionals who work with children might prove a downside of the Bill.

The phenomenon known as defensive medicine is well recognised in the United States and to an increasing extent in this country. So concerned are professionals about the risk of litigation that they allow self-protection rather than the case in hand to govern their activities. There is some evidence of that attitude creeping into both social work and teaching. Setting up an all-powerful overlord to peer over people's shoulders, able at any time to wield immense powers of intervention, might encourage that defensive mentality.

Mr. Dawson: Does my hon. Friend accept that that defensiveness often works against the interests of children? It is promoted by powerful external interests—

[Mr. Dawson]

often the media or the relevant local authority procedures—and children's interests and rights go by the board.

Mr. McCabe: I accept that the sort of defensive mentality that I describe is a direct result of people's anxiety about their own position in the face of external pressures. My point is that the danger inherent in creating an all-powerful commissioner is that, rather than encouraging people to focus on children's real rights and the issues that genuinely affect them, it might encourage individual professionals to focus on self-preservation. My hon. Friend says that other agencies exert such pressure on hard-pressed individuals, but my major concern is about the possibility that the commissioner would have the same effect.

I am concerned about other aspects of the Bill, although I shall not go into the details, which have already been explored. It strikes me that the Bill is extremely wide-reaching. A Bill that focuses more narrowly on protecting existing rights, rather than one that gives the commissioner a roving brief, would be more desirable. There is a danger inherent in the Bill being so open ended: for example, we have no idea how many staff would be appointed, and so no idea of the costs.

Some of the aims set out in the Bill could be achieved without it. In the Bill, Ministers are asked to recognise and pay attention to the rights of children, but I assume that, to some extent, the children and young people's unit has been set up specifically to address such issues. Furthermore, an impact study can always be arranged—we do not need a children's commissioner to enable a Minister to decide to commission an impact study when new legislation is being considered.

I can see how clause 8(3) would make it easier for an individual to make a complaint. It states:

"Information provided to the Commissioner under subsection (1) or (2) shall not identify any person who has made a representation or complaint."

However, when reading that provision—I might have misinterpreted it and if I have I shall be grateful for the comments of my hon. Friend the Member for Lancaster and Wyre—the recent, extremely sad case of David Jones came to my mind. He was the manager of Southampton football club; now, happily, he is back in the west midlands with Wolverhampton Wanderers. He lost his job, was subjected to enormous personal stress and put through a terrible experience, but it was finally found that he had not a single stain on his character. I do not want any more cases like that.

I want all children who are in danger or threatened with it to have proper avenues and institutions to enable them to express what is happening to them and ensure that those who abuse them are brought to book, but I do not want any more long, drawn-out cases in which an individual's reputation and career are savaged while that individual has no redress. Given the current wording of the provision, it would be possible for spurious allegations and information to be laid before the commissioner, which would trigger investigations that might have a serious bearing on an individual's reputation and, indeed, his life. At no stage would the individual know either the substance of those allegations or who had made them. The Bill is concerned about rights, but such provisions could be seen as a serious attack on the rights of individuals—I have some desperate concerns about that.

I have read of the German experience. In Germany, there is a position akin to that of a children's commissioner, but it is in a commission that deals more broadly with the rights of the family, the elderly and various groups. Should we appoint a commissioner only for children's rights? Does that not mean that, in years to come, we shall be making the same arguments in support of commissioners for the elderly, single parents, divorced men or menopausal women? There is no end to the groups who could claim that their rights are infringed. Perhaps we should concentrate more on the rights of the whole population rather than singling out children.

Another danger of the single approach is that we might not learn from previous experience. In this country, we have a welter of experience drawn from inquiries—sadly, mostly into cases of child abuse. We could trace a line from Maria Colwell, to Jasmine Beckford and to Anna Climbie to show what has gone wrong with our system. There are many examples of what is wrong with the system—where it falls down and children are not protected.

The examples of the lack of protection for children are writ large. I am not sure that we need more people to tell us what is wrong. We need to ensure that the existing procedures are properly and rigorously pursued and effectively supervised. That might produce much greater dividends than setting up a whole new apparatus.

Similarly, we can draw on the inquiry into residential homes in north Wales or the Kincora investigation. We know about the nature of the abuse that occurred for a long time in residential institutions. We know about the practices that have caused children such distress. We do not need a commissioner to initiate a new body of research to teach us about that; the evidence already exists—it is writ large. We actually need to show that we are constantly learning from those experiences and that we are doing our best to minimise the chance of them recurring.

In that respect, we could take some practical steps. We could re-examine the training of certain key professionals who work with children. We could consider why there is not more joint training. As I am sure my hon. Friend the Member for Lancaster and Wyre will acknowledge, one of the commonest difficulties experienced in child abuse or child protection inquiries is dealing with the different cultures, procedures and training backgrounds of the professionals who have to work together on such cases. Often that inhibits the work and progress of the inquiry. We could practically address the existing system and try to make professions and institutions work more closely together—to bind them in a helpful way.

Instead of being obsessed with the idea that children's rights in our society are a form of regulation or an intrusion on civil life by the state, perhaps we should address the whole environment and our attitudes to children. Other societies are much more child centred and child friendly. That may account for the fact that they experience fewer cases of child abuse—or at least reported cases.

I shall give a simple example. When my daughter was six-weeks-old, I went on holiday to Ireland, where, of course, all the pubs, restaurants and similar establishments

made it clear that it was perfectly acceptable for the customers to have their children with them. Shortly after that holiday, I strolled into a local pub in Birmingham on a nice summer's day and was confronted by a barmaid who said, "You can't come in here with a child." A society in which the attitude is that children must be kept apart, hidden away and separated from main events questions the existence of children's rights.

Similarly, if people went out for a stroll on a summer's evening in Italy, they would not be at all surprised to see whole families strolling along hand in hand, with the children very much part of what was happening, but such occurrences are increasingly rare in our society. Our society deliberately segments and separates children from a great deal of normal activity. In my judgment, the fact that we hide children away at times makes abuse possible in the first place. More could be done about that in a more open and child-friendly society.

In passing, it is probably worth saying that we could do some basic things in the House. It fair to say that it is strange that we put greater weight on the need for space for a gun club than we do for a creche, or that we have a family room that resembles a doctor's surgery, rather than being child friendly. If we are really concerned about children's rights, perhaps we need to make some basic changes to the culture and the environment in which children are forced to grow up. We need to encourage a change of attitude, so that it is much harder for individuals to abuse children's rights. I wonder whether that would be a more effective way to address some of the concerns rather than that proposed in the Bill.

The children's rights director will have powers to deal with those children in care and those who are at risk, and it is right that an overseeing body should exist. However, if we are to provide a further body, we are effectively saying that we do not have much confidence in the existing procedures, that there is no aspect of private life that cannot be subject to regulation and that the only way to guarantee and protect children's rights is to have a overlord, a policing figure, who will regulate every aspect of our dealings with children. That is not the right starting point.

I was struck by the fact that my hon. Friend the Member for Lancaster and Wyre spoke about the meetings that the United Nations sponsors held in schools—the "Put it to your MP" campaign. I took part in one of those meetings, and was struck by the ideas that young people can contribute and the number of issues about which they have very strong and definite opinions. Contrary to the views of the right hon. Member for Bromley and Chislehurst, listening to young people can be informative and helpful to those of us who tend to see the world through a narrower age perspective. It can be useful to consider the views of young people.

As I said, I was struck by the positive comments that young people can make and the strong and clear views that they have on many subjects, but those views will be nourished and encouraged only if we create the right atmosphere—the permissive atmosphere—to make that possible in this country. I am not convinced that the way to guarantee greater respect for children's rights is to create a new policing apparatus. That is the fundamental danger. The Bill's intentions are good—the desire to respect children's rights; to give children a much greater voice; and not to see them simply as passive objects—and should be welcomed.

The question is whether we should achieve that by creating a massive, over-arching regulatory framework with the power to intrude at will in all aspects of life in what would sometimes be a contradictory fashion. I seriously doubt that that is the best way forward. I am not suggesting that my hon. Friend's Bill should not proceed to a Committee for consideration, but we would make more progress if we could pare it down and focus on areas where there is clear evidence of abuse, rather than creating unnecessarily wide powers in the expectation of discovering other problems in future.

I am always worried when I find myself agreeing with the right hon. Member for Bromley and Chislehurst, but in this case he is right. The Bill is ambitious—it anticipates problems—and unnecessarily intrusive. I should prefer a shorter, sharper Bill that tackles specific problems. We should emphasise the need to create a permissive environment for children so that we do not need to be obsessed with policing society.

1.41 pm

Dr. Alan Whitehead (Southampton, Test): I do not want to dwell on the detail of the Bill because this is a Second Reading debate and we should consider the principles behind it. In any event, right hon. and hon. Members have pointed out that several of their concerns can be dealt with in Committee, where it will be possible to pare the Bill and make it more sharply focused, so we should do that instead of preventing the Bill from proceeding.

I listened carefully to the debate. Two Members, in particular, have root and branch objections not only to the Bill, but to the very idea of a commissioner. The right hon. Member for Bromley and Chislehurst (Mr. Forth), having occupied a position of great statesmanship in the previous Government, has adroitly repositioned himself as a small mosquito seeking to draw a little blood from the exposed parts of the body politic. Interestingly, the hon. Member for New Forest, West (Mr. Swayne) has moved in the other direction—from mosquito to statesman in one bound.

The position now occupied by the right hon. Member for Bromley and Chislehurst means that he has given himself licence to use intemperate language and imagery that other Members would find difficult to get away with. However, his view that all foreigners are not to be trusted opens up a new discussion. He will not appreciate the fact that a children's commissioner or someone of similar status is pretty common in foreign countries, both in Europe and elsewhere. I think of Australia, Austria, Belgium, Canada, Denmark, Germany, Israel, New Zealand, Norway and Sweden. The role does not have exactly the same functions in every country, and each has a different way of doing things, but the principle enunciated by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson)—whom I congratulate on introducing the Bill—has been established in those countries.

The right hon. Member for Bromley and Chislehurst must ask himself whether all those people are wrong. Has their society collapsed? Are children running rampant in the streets, disobeying their parents and lacking respect for their elders? Is it that foreigners do not have children or, if they do, they have them in such a monstrously different way that we do not recognise their concerns as

[Dr. Alan Whitehead]

being the same as ours? I suggest, politely, that that is not the case. It is worth considering arrangements in other countries, which, in general, work well.

Mr. Forth: I am grateful to the hon. Gentleman for listening to what I said, and he is doing me the courtesy of responding to it. However, for the sake of clarity, my experience of international and multinational bodies in which foreigners are represented has taught me that what they do need not be imported into this country. We should make law for ourselves and our circumstances through our elected representatives. We do not need to import foreign material.

Dr. Whitehead: When we make laws we should, of course, have regard to what is right for the circumstances in our country. I am not saying that we should not do that. However, we should not shut our eyes to what is happening elsewhere. From my observation of the way in which many other countries do their duty by their children, it is clear that they have similar worries. It is at least worth having a look at countries where children's commissioners or similar arrangements are in place to see whether they have the dire effects that have been suggested.

The right hon. Member for Bromley and Chislehurst said that the commissioner would be a commissar. I have been reading Robert Service's excellent biography of Lenin. He knew how to appoint commissars, and the commissioner would not be one. The person who had a considerable hand in influencing some of the ideas behind the Bill set out the commissioner's role as:

> "Influencing policy-makers and practitioners to take greater account of the human rights of children . . . Promoting compliance with the minimum standards set out by the UN Conventions on the Rights of the Child . . . Promoting respect for the views of children throughout society . . . Promoting knowledge of the human rights of children among all children and adults . . . Seeking to ensure that children have effective means of redress when their rights are violated or disregarded".

That does not describe a commissar who can go into every corner of society and demand access to what people are doing in the privacy of their own homes. It is a measured approach to draw together strands of public policy that seem to be fractured and separate and which sometimes fail our children when they have few advocates and few civil rights. We could do with establishing a body to consider how society works out its relationship with children, from a public and private perspective.

The other main concern about the principle behind the Bill is how it would affect private responsibilities, which was raised by the hon. Member for Gainsborough (Mr. Leigh). The argument is that it would undermine parents' rights, but we cannot live in a black-and-white world in which each parent has complete rights over children or children have complete rights over parents. The real world is not like that. Parents do, and should, have a considerable say in how their children are brought up and what happens to them as they become adults. Children are not the property of parents who can do what they wish. Part of the essence of a civilised society is that we place boundaries on what people can do to their children and to those with whom they interact on a private basis.

It is part of the contract of being a member of society that one recognises the obligation to behave reasonably, decently and honourably towards people who are often helplessly in one's care. As a contracted member of society, one cannot divorce oneself from the norms and reasonable expectations of that society and say that, once the front door is shut, "I can do whatever I like, and no one has a right to tell me what to do." That would be an ill-advised definition of what it is to be a parent.

In circumstances in which parents' rights are circumscribed by their responsibilities towards society, it is right to consider how public policy develops. My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) pointed out that one simply cannot apply the parenting model in some circumstances, and my hon. Friend the Member for South Derbyshire (Mr. Todd) provided several examples. In cases of child prostitution, child labour, runaway children, children committing crime and, as my hon. Friend the Member for South Derbyshire mentioned, in cases where we try to ensure that the children of travelling families receive education, to what extent do we say that we should simply refer the matter back to the parents and that everything will be okay? In many cases, that is the last thing that one should do to protect the welfare of a child.

Notwithstanding the detail of the Bill, a matter of principle suggests that we should adopt the approach proposed by my hon. Friend the Member for Lancaster and Wyre and give the Bill its Second Reading. Even if it does not make it all the way to the statute book—I suspect that it might not—it gives us an opportunity to move forward our appreciation of the issues. We have moved beyond the idea that children should be placed in the background and be seen but not heard. I sympathise with the view of my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe), who said that we are a society that still wishes to proceed with its daily business while keeping children at a distance for our own safety and convenience.

The issue is one of changing attitudes and changing the way we do things. If the debate has helped in that, and if the Government think carefully about how we proceed on the issue of children's welfare, this Bill will have performed a great service.

1.53 pm

The Minister of State, Department of Health (Mr. John Hutton): This has been a wide-ranging debate, in which right hon. and hon. Members have made their arguments very persuasively and with great skill. We have heard speeches for and against the Bill—and then there was the speech of the hon. Member for New Forest, West (Mr. Swayne). I could not quite make out whether he was in favour of the Bill. However, I shall come to his remarks shortly.

I congratulate my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on bringing the issue of a children's rights commissioner to the attention of the House once again. I commend him for his committed and valuable work on children's issues and the tenacity with which he presented his arguments. The Bill is identical to those introduced by my hon. Friend and others on at least two previous occasions, and I should perhaps reassure him and all those in favour of the Bill that the Government are continuing to consider carefully the arguments that he and others are making. I agree that it is an important issue that we should keep under review.

On what my hon. Friends the Members for Lancaster and Wyre and for South Derbyshire (Mr. Todd) said, we have considered carefully, and continue to study, the different models of commission that exist around the world. We are taking a particular interest in the proposals emerging from Wales, and the consultation exercise planned for Northern Ireland later in the year. We are always willing to consider whether we need to make further improvements in the existing arrangements for safeguarding the well-being and protection of children in England.

As my hon. Friend the Member for Lancaster and Wyre will know, we are currently implementing what I consider to be a substantial programme of new measures to improve safeguards for children. We are making those practical improvements the initial focus of our work. As I have said, we will continue to think about how the measures can be improved in future, but I think it right for our first priority always to be the safety of those at the greatest risk of harm. It is in that regard that the most immediate need for additional protection has been most apparent.

I shall go into more detail shortly, but first I want to comment on some of the speeches that have been made. I am sorry that my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) is not present, because she spoke with a great deal of conviction, as she always does. Throughout her time in the House she has taken children's issues very seriously, and has also worked to secure positive changes in both legislation and practice. She has a great record on this subject, and many of us will miss her counsels in the future.

It was clear from the speech of the hon. Member for Gainsborough (Mr. Leigh)—who, unfortunately, is not present either—that he had intended to speak for a long time, and he succeeded in doing so. He read out a long list of quotations—one was from one of my speeches, and I am grateful to him for that—but, most important, he expressed his opposition to the Bill on philosophical grounds. He also expressed clear opposition to the very concept of children's rights.

The hon. Gentleman's speech probably generated more heat than light. His comments had a distinctive 19th century flavour. I see that he has now arrived. I am sorry that he missed what I said about his speech, but he will probably be flattered by my observation that it had a distinctive 19th century flavour.

Mr. Leigh *indicated assent.*

Mr. Hutton: I thought that the hon. Gentleman would be flattered. Fortunately for children, however, this is the 21st century, and I am glad to say that we have made a good deal of progress since the time to which the hon. Gentleman presumably harks back.

My hon. Friend the Member for Rother Valley (Mr. Barron) made sensible comments about the way in which policy needs to evolve over a period. As I have tried to make clear, we need to keep the issue under review. Like many others, he also asked about some of the practical details of the Bill. I tend to agree with my hon. Friend the Member for Southampton, Test (Dr. Whitehead) that now is not the time to go into those details—this is Second Reading, not Committee—but I think that we need to consider carefully, especially in relation to clause 10, before giving anyone apart from the proper authorities the right to instigate criminal proceedings. I must therefore tell my hon. Friend the Member for Lancaster and Wyre that I have reservations about aspects of his Bill, especially that clause.

Unfortunately, the right hon. Member for Bromley and Chislehurst (Mr. Forth) is also absent. I shall not say that he lowered the tone of our proceedings, for I do not think that he did. We heard the familiar rant about foreigners, which many of us find deeply distasteful, regrettable and rather immature for a Member of Parliament—but I think that the right hon. Gentleman should find an agent, because he would go down a storm if he did a turn at Cemetery Cottages working men's club in my constituency, where such comic turns are always appreciated. However, I found his general attitude to the Bill and to children's issues as a whole rather regrettable. One aspect in particular stuck in my mind—oh, good: the right hon. Gentleman has arrived as well.

Mr. Leigh: He is being rude about you, Eric.

Mr. Hutton: I am never rude about the right hon. Gentleman, although he and I probably agree on absolutely nothing. I am sure he is glad to hear that. I took strong objection to the right hon. Gentleman's remarks about the importance of listening to children. He is wrong. His remarks were made in the context of a wider objection to the Bill. I am sure that he does not personally take that view on listening to children, or trying to understand what they want to say to us.

One thing has always stuck in my mind as a Member of Parliament. Soon after I was elected in 1992, I went to a primary school in my constituency and met a group of 10 and 11-year-olds. I asked them a question that, in subsequent years, I have always asked: if we could make a new law in this place, what should it be? One little lad stuck up his hand and said, "Can I answer that question?" I said, "Of course. Tell me what you think we should do." He said, "We should pass a law that my dad can get a proper job. He lost his job in a shipyard 10 years ago and he has not worked since." When we listen to such children, they come up with a good deal of common sense. Perhaps we cannot pass a law to ensure that his dad works, but as a matter of public policy what the child said was important. Full employment is an important social and economic policy. The view that that young person expressed is, I think, the view of the vast majority of mainstream opinion. It would be a mistake if we ever thought that we could disregard their views.

My hon. Friend the Member for South Derbyshire spoke well about the need to support the role of parents in bringing up children. That should be the main focus in all the work. We have certainly tried to make that the main priority for our programme of work. I agree that we need great clarity on how to improve the well-being of children in our society. I am sure that he would be the first to welcome some of the measures that we have put in place since 1997.

My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), who, I understand, cannot be with us, referred to the needs of children with learning difficulties. I am sure that she and others will be aware of the Government's White Paper "Valuing People", which we published only last week, and of our commitment to improve public services for children with learning disabilities and to improve research in that area.

[Mr. Hutton]

I shall outline some of the structural changes that we are making to the way in which the Government seek to meet the needs of children and young people. There have been five strands to our work. First, from next April, under the Care Standards Act 2000—many hon. Members have referred to this—there will be a new children's rights director for England. Working within the new National Care Standards Commission, the director will, I hope, be able to act as a powerful champion for some of the most vulnerable children in our society.

Although the precise role and functions of the director are not set out in that Act—I am sure that the hon. Member for New Forest, West will remember this—provision is made in schedule 1 to the Act for the post's functions to be prescribed by regulation. The Government plan to publish draft regulations covering the work, key tasks and responsibilities of the director and put them out for public consultation in the near future.

I am pleased to say that the children's rights director will be in his or her post by the end of this year. Although we are still shaping the role, it is likely that the key responsibilities of the postholder will include setting and monitoring the registration and inspection arrangements for regulated services for children; monitoring and reviewing the operation of the national minimum standards for children's services and recommending possible changes; ensuring that the National Care Standards Commission gives full and effective coverage of children's rights in its statutory responsibilities for regulated children's services; ensuring that the views of children for whom regulated services are provided are given proper weight by the commission; and reviewing and monitoring the effectiveness of complaints and whistleblowing procedures operated by regulated providers. Those are some of the director's key functions, which address many of the issues and concerns that my hon. Friends have raised.

It might sound like a long list of tasks, but it signals real change for children who need the additional protection that a powerful children's rights director can offer. Our challenge is to rebuild the confidence and faith of vulnerable children in a system that has failed them for far too long.

In appointing an individual to that key post, we will look for someone with a proven track record in promoting child care practice and children's rights; experience in managing children's services at a senior level; and a strong professional background in child care social work. In short, we are looking for a powerful champion of children's rights—someone who can represent the interests of the most vulnerable children in our society; ensure that the commission uses its regulatory powers to protect vulnerable children; ensure that the commission's inspection programme serves to protect children; and ensure that children living away from home in a variety of settings are properly protected.

Secondly, hon. Members will be aware that in August last year we set out new arrangements for how the Government will improve the way in which they deal with issues concerning children and young people. Changes that we have made include establishing a new Minister for young people—that role will be fulfilled by my right hon. Friend the Member for Brent, South (Mr. Boateng)—and a new Cabinet Committee on children and young people, chaired by my right hon. Friend the Chancellor of the Exchequer.

Of course, an extra £450 million of further funding through a new children's fund will focus on preventive programmes to reduce child poverty. Furthermore, we have established a new children and young persons unit, which will operate across government, to, among other things, co-ordinate policies supporting the Prime Minister's pledge to halve child poverty in 10 years.

Thirdly, we have established a children's taskforce to drive forward all aspects of the NHS plan that relate to children. Fourthly, we have just announced that there will be a new national service framework for children. We envisage that it will cover the broad spectrum of services that children need to ensure that they start and continue life well and grow into healthy adults ready to play a full part in society.

The national service framework will deal with some important cross-cutting themes such as tackling inequalities, supporting children with disabilities and special needs and involving children and parents. It will revisit key NHS plan themes of modernisation, breaking down professional boundaries and partnership between key agencies.

On Government policies that affect the health, well-being and status of children, many hon. Members referred to the need to improve co-ordination across Departments. The Bill introduced by my hon. Friend the Member for Lancaster and Wyre includes a provision designed to achieve just that. I take the view that those are the responsibilities of the Government. It is for the Government to take action to ensure that their policies are effective and well co-ordinated, and the changes that I have outlined will take us forward substantially in that direction.

The House will be aware that, last year, my hon. Friend the Parliamentary Secretary, Cabinet Office announced a consultation on the outcome of a review of the work of the public sector ombudsmen in England—the Parliamentary Commissioner for Administration, the health service commissioner and the three local administration commissioners. However, no hon. Member referred to it in the debate. The review was initiated in response to proposals made by the ombudsmen themselves and was carried forward as part of the wide range of action that we put in hand to bring government and public services generally into the 21st century.

With that in mind, the review of the ombudsmen was intended to consider the current arrangements against the background of increasingly integrated public services. We wanted to find ways to improve access to the ombudsmen and ways to improve the efficiency of the ombudsmen and their ability to investigate complaints involving different services.

The review was published last year, and its main conclusion was that legislative provision for the ombudsmen needed to be overhauled in response to the reshaping of government and that a new collegiate structure should be put in place. Clearly, that will require new primary legislation. The new structure, with all ombudsmen able to cover the complete jurisdiction, would ensure that the ombudsmen could respond to developments in the way in which public sector services are delivered to the public, including children.

The review also recommended changes to the ombudsmen's working practices and the way in which they connect with the general public, including young people and children. The consultation on the review's conclusions and recommendations was completed towards the end of last year and an announcement on how we will take that work forward will be made soon.

As we are committed to the modernisation of government and public services generally, so we are committed to the modernisation of the ombudsmen system. We recognise that things can and do go wrong from time to time. We also recognise that it serves no good purpose for the public, whether adults or children, to find it difficult to raise concerns when they are not happy about the way with which their complaints about public services have been dealt. We acknowledge that a single complaint may identify much wider lessons that need to be learned and point to action that needs to be taken to improve the delivery of the services concerned.

The structural changes that I have described are part of our long-term agenda to achieve real change for the most vulnerable children—children who are fearful and abandoned and who rely on us to make their lives better. In addition to the practical and positive measures that we have already taken, we have set in train important changes to the machinery of government that relate to children's issues. Those changes have been made since my hon. Friend the Member for Lancaster and Wyre introduced a previous Bill on a children's commissioner.

The changes will lead to an improved recognition across government of the needs of children, as well as an increased ability to monitor the practical impact of a wide range of policies affecting children. It is fair to say that one of the motives for my hon. Friend's Bill is a desire to improve the way in which we formulate and implement policy on children's issues in England. I strongly agree with that. The Government have, however, made important progress on those issues since we last debated them. Better public policy making on issues affecting children will contribute substantially to achieving the goals that my hon. Friend the Member for Lancaster and Wyre and I share. I hope that he will welcome the changes that we have made in that sphere.

My hon. Friend and other hon. Members will be aware of some of the other changes in the statutory framework governing the protection of children. We have the Care Standards Act 2000, the Children (Leaving Care) Act 2000, the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000. All of those are substantial advances and will provide much better safeguards and protection for vulnerable children.

Hon. Members will also be aware that the Government are supporting major investment in new children's services, including £885 million in a new special grant for children's services run by local authorities. We are also investing substantially in the new sure start programme, which is promoting pre-school development. Our aim since taking office has been to introduce practical measures that will really help children. We want to encourage councillors to embrace the role of corporate parent and encourage all agencies to listen to children and to children's views.

The quality protects programme is beginning to make a difference, but we recognise that it is a long-term project. Tackling problems that have been developing over many years will take time. As my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) rightly said, problems will not be eradicated overnight by the appointment of a commissioner for children or by any other similar mechanism. What is needed is a coherent programme of structural, legislative and policy changes to produce long-term improvements in the quality of services for children, the standards of protection and the status of children in our society. The Government are taking positive action in all those important spheres.

In improving safeguards for children, we have concentrated on the most vulnerable children— the ones who need our help most urgently. As many hon. Members pointed out today, the Waterhouse report provides clear evidence that those children have not been properly protected in the past. It is right to make them the immediate priority, and we have done so. I believe that our programme of change will lead to a transformation in the availability of safeguards for the most vulnerable children.

It is against that background that we have to consider the case for a commissioner for all children in England. We have to be clear about how a commissioner would increase the safeguards against abuse and exploitation. Consequently, we have to examine carefully the case for and the potential role of a children's commissioner, including consideration of links with existing structures.

We have to think carefully about how my hon. Friend's proposals for a new commissioner—who, in the Bill, would have the power to pursue individual complaints—would fit in with the current continuing review of the role and work of the various ombudsmen. I believe that there is a strong case for considering, in a properly joined-up way, the issue of complaints about the delivery of public services. However, although we certainly accept the need to improve public services and for those services to be responsive to criticism—that applies as much to children's services as to any other services—I am not sure that legislation removed from the context of the review of ombudsmen is currently the best way forward.

Therefore, as my hon. Friend will know, because we have discussed the matter, I am not able today to lend Government support to his Bill. However, I assure him that we are keeping the issue of a commissioner for all children under very careful review. As both I and the Minister of State, Home Office, have made clear in the past, we need to consider carefully the Welsh experience to see whether there are any other lessons that we can learn in England that could help to provide better safeguards for children. We intend to do that, and we still believe that that is the best way to proceed.

Mr. Dawson: I am grateful to all hon. Members who have participated in this very good debate. I am especially grateful to my hon. Friend the Minister for his most helpful and constructive remarks. I anticipate that debate on this matter will continue most constructively and positively in the future. On that basis, I beg to ask leave to withdraw the motion.

Motion and Bill, by leave, withdrawn.

Employee Consultation Rights Bill

Order for Second Reading read.

2.14 pm

Mr. Kelvin Hopkins (Luton, North): I beg to move, That the Bill be now read a Second time.

I am pleased to have this opportunity, brief though it may be, to introduce my Bill. Such opportunities are rare, and some hon. Members have spent decades in the House without being successful in the ballot. I am aware that I am privileged and fortunate, especially as I was drawn only 17th.

The Bill proposes consultation rights for employees on large business issues that affect them. There is a pressing need for such rights to be written into law, which has been reinforced by recent events in Luton, the north of which I have the honour to represent.

Before dealing with the specifics, I want to set out the background to my decision to introduce the Bill. It represents a significant step for me on a long road: an adult lifetime spent trying to defend and advance the interests of working people. About 32 years ago, I became a member of staff at the economic department of the Trades Union Congress. At that time, the industrial relations environment was very different from what it is now.

In 1969, employee interests were represented almost entirely by trade unions, which is still the case today, but the unions then operated within a framework of legal immunities developed over a long period stretching back to the 19th century, and born of many decades of political struggle and industrial conflict. The system of industrial relations that had evolved was essentially bilateral, oppositional and sometimes confrontational. It was a very British way of doing things, represented at its best perhaps in this very Chamber. That way has much to commend it, and it would be a great disservice to democracy if the oppositional essence of our parliamentary system were to be lost.

In the 1960s, however, our system of industrial relations was being questioned, and not only by Government and employers. The Donovan commission in 1968 recommended that the system of collective bargaining should be extended and that the TUC and the trade unions should become more positively involved in the broader economic issues affecting companies and public corporations. Donovan led to the establishment of a number of industry committees of the TUC. The TUC also had an essential role in NEDDY—the National Economic Development Council—and its range of economic development committees, regrettably swept away by a Conservative Government.

At that time, the terms "industrial democracy", "worker participation" and even "workers' control" entered, or re-entered, the language of trade unionism and political debate on the left. The Institute for Workers Control, a radical left-wing organisation, had revived syndicalist ideas from a much earlier age. By the mid-1970s, the TUC was giving careful consideration to the case for industrial democracy, and looking with interest at other models of industrial relations—notably, the system of Mitbestimmung, or co-determination, which had developed in post-war West Germany.

The 1970s Labour Government established the Bullock commission of inquiry, which published its milestone report on industrial democracy in 1977. Jack Jones, the then general secretary of the Transport and General Workers Union, was instrumental in pushing the TUC towards a new acceptance of industrial democracy, ably supported and encouraged by my noble Friend, recently elevated, Lord David Lea. Both were TUC members of the Bullock commission.

Many trade unionists, however, myself included, were not comfortable with the new ideas. Sceptics were concerned that, by becoming involved with managers in joint decision making, they could become compromised and less free to defend their members' interests in a robust and forthright manner. Many managers and employers were also nervous about the prospect of workers and trade unionists having a consultative role in decisions that had until then been considered straightforward management prerogatives.

The collaborative approach of the Germans was viewed with some dubiety and suspicion by many in Britain, on both sides of the industrial divide. For the trade unions in the 1970s, accepting temporary pay restraint to help a Labour Government in a period of extreme economic difficulty for the country was one thing, but sitting around the table with managers in co-operative mode, debating and participating in decisions about the future direction of the company was for some a step too far.

At that time, trade union membership and strength were at an historic high, and the trade unions' relations with Government were closer than at any time before or since. Why should a system be questioned that appeared to be working so well and that had brought enormous benefits to trade unions and to millions of workers throughout the country?

Attempts to shackle the unions—as it was perceived—had been beaten off, and the balance of power between workers and employers had been evened up. To many in the trade union movement, the drive to industrial democracy was unnecessary and inappropriate, and could undermine what seemed to be a strong position. The unions looked forward to a future in which the economic crisis of the 1970s had passed and they could return to their preferred system of free collective bargaining.

On the other side of industry, employers were unenthusiastic about the apparent strength of the unions and their closeness to Government, although they welcomed the pay restraint negotiated as part of the Labour Government's social contract. Employers were also nervous about talk of industrial democracy and worker participation. Having trade union representatives in the boardroom discussing the company's future plans, with access to financial information, was not a prospect that they relished. The possibility of being required by law to divulge privileged company information to workers, well beyond what was required in company annual reports, was not greeted with unbridled joy in the boardrooms of Britain. There were a few progressive and enlightened employers who saw that involving workers more closely in company decision making could be very beneficial, but these were the exceptions rather than the rule.

What neither trade unionists nor employers foresaw was the political and economic whirlwinds of the 1980s and 1990s, two decades in which trade union and workers'

rights were blown away by mass unemployment and legislative attack. Trade union membership plummeted. Employees' bargaining power ebbed away and employers were put thoroughly back in the driving seat by a series of right-wing Conservative Governments beyond anyone's imagining in the 1960s and 1970s.

Since 1997, our Government have made most welcome progress in restoring trade union rights, although it is my view that we still have a long way to go in that direction. My Bill could be one significant step on the road to restoring a fairer balance between the powers and interests of workers and employers.

Mrs. Teresa Gorman (Billericay): Will the hon. Gentleman give way?

Mr. Hopkins: I apologise to the House but as I am so short of time, I will not take interventions.

For myself, I have come to realise the limitations of the simple confrontational model of industrial relations by which he have set so much store in previous generations. It is right that employees and their representatives take an intelligent interest in decision making within the companies, corporations and authorities in which they work. To do this, they must have information and they must be consulted, and there must be effective institutional arrangements within which consultation and discussion can take place. Employees must have access to company information, especially about future plans affecting employee interests and, above all, about their job security. Without such rights, what happened at Vauxhall Motors in Luton last year can and will happen again.

Hon. Members will recall the anger of workers at Vauxhall in Luton at the end of last year at hearing the news of the closure of the Luton plant from the local radio. General Motors' decision to close the Vauxhall car plant in Luton came out of the blue and stunned the whole town. The announcement was leaked to the press before the workers had an inkling that their jobs were to go. I myself received a telephone call from the BBC's "The World At One", asking for my comments on the closure decision several hours before the workers at the plant were formally told.

The anger among the work force—and, indeed, among the whole local community—was intense and understandable. The way in which the decision was announced was no way to treat working people anywhere, and certainly not in a modern democracy. Over 3,300 workers were to be laid off; there were to be 2,000 redundancies, with 1,300 transferred to a sister company, IBC. The decision to end Vauxhall car production by 2002 had been taken by the parent company, General Motors, at either its Detroit or Zurich offices, but the first news in Luton was received via the local media.

It is upsetting enough to be told of the loss of jobs by one's own employer, but to hear it from a third party is wholly unacceptable. The wave of anger that went through the Luton plant was demonstrated on our TV news programmes in the subsequent days. I myself was outside the company offices in Luton when the managing director addressed a large crowd of Vauxhall workers demonstrating their anger.

I should say at this point that GM also announced redundancies at other European plants where there is already a duty to consult the work force. However, this did not and does not justify the company's treatment of workers either in this country or in the rest of Europe

Now is not the time to go into all the reasons why GM decided to close the Luton plant, much as I might wish to. One of the reasons must be that, despite Government progress in turning the tide of anti-trade union legislation enacted by the previous Conservative Governments, it remains easier, cheaper and quicker to make employees redundant in the UK than elsewhere in the European Union. That is not just a personal view, but that of the TUC, which is quite categorical in its assessment, and it is shared by workers at Vauxhall. The TUC believes that one reason for this is that, elsewhere, employers are under a much greater obligation to inform their work forces about business plans and difficulties.

The Vauxhall announcement was not an isolated case of unilateral decisions being announced by employers. Everyone will recall the announcement by BMW on the sale of the Rover Longbridge plant to Alchemy. Some 9,000 employees learned of the proposal and the implied redundancies from their televisions, radios or newspapers. Ultimately, the Phoenix consortium counter-offer was successful and saved many jobs. I am not sure that I share the Industrial Society's view that the original BMW announcement

"changed the course of British employment relations history"

and "served as a watershed". However, the society's view that

"BMW's duplicitous treatment of its UK workforce . . . was entirely legal"

is widely held.

There are other examples. The May 1996 merger of Royal Insurance and Sun Alliance was notable not only for the scale of job losses, but for the suddenness of the announcement. The first workers heard of the loss of 5,000 jobs was when the merger was announced as a fait accompli; the term "Rice Krispie redundancies" entered the vocabulary of industrial relations, as workers heard news of their fate over breakfast.

It is to seek to avoid such events in future that I am proposing my Bill. Workers should have a right in law to information and consultation about possible changes in company operations, and rights to be consulted on company plans.

British industrial relations have a long, honourable and distinctive tradition. That tradition is evolving—not static, with fixed attitudes between employers and employees. It could be argued that consultation between the work force of large companies and their employees is not typical of the British approach to collective bargaining, but both sides of industry recognise that circumstances change, not least because of the influence of the European Union.

Many trade unionists still look back to the days when they were immune from civil action by employers over the commercial consequences of strikes. Those rights were established in law early in the 20th century and arose from the Osborne judgment. Hon. Members will recall that the Osborne judgment ruled that trade unions were legal bodies that could be sued for the commercial consequences of strikes. The Trade Disputes Act 1906 reverses to the decision giving legal protection to strikers and their unions.

Mr. Edward Leigh (Gainsborough): Will the hon. Gentleman give way?

Mr. Hopkins: I am sorry. I am not taking interventions for reasons that I have explained.

[Mr. Hopkins]

Realistically, that position, which lasted until the election of the 1979 Conservative Government, is unlikely to return in the foreseeable future, much as some of us might want that. The TUC and others now look to employee involvement in employer decision making harnessed to the benefit of workers. The world has changed, and the TUC's view of the way forward for workers has also evolved.

Consultation of the work force is already required in certain circumstances under the legislation enacted by both Conservative and Labour Governments. It is not a new idea. Consultation is already obligatory in a number of situations. On the surface, it seems that the extent of consultation is widespread in the British economy. According to ACAS:

"Many organisations are increasingly adopting consultation as an integral part of their day-to-day management processes and, as a result, are consulting directly with employees as well as indirectly through employee representatives."

However, the extent of consultation is actually limited and, sadly, diminishing. That view is backed by what is claimed to be the largest work force survey in the world—the workplace employment relations survey sponsored by the Department of Trade and Industry. That covers 3,000 workplaces, and includes questionnaires from 30,000 employees. The survey found that, the larger the organisation, the more likely it is to have a joint consultative committee. It also showed that consultation has declined over the past 20 years. That is hardly surprising. During the period of the successive Conservative Governments, employment rights were systematically whittled away, and as a consequence employees were less likely to insist on being consulted for fear of losing their jobs.

I welcome the recent initiative of my right hon. Friend the Secretary of State for Trade and Industry to consult both the major social partners on areas for increased consultation. My right hon. Friend was deeply concerned about the effect of the Vauxhall closure announcement on the work force. That decision was made in the face of an earlier negotiated agreement that proposed maintaining production at Luton with a new vehicle to replace the Vectra. I hope that my Bill is pushing at an open door as far as the Government are concerned.

The TUC recently launched its Partnership Institute. The aim of the institute is to identify and promote best practice in workplace partnerships, and develop those relationships that will improve productivity and workplace performance and enhance the quality of working life. The institute has been made possible partly by the DTI's partnership at work fund. Such initiatives will enable partnership working to develop. My Bill seeks to ensure that that happens.

The Bill would cover the public and the private sectors. I was pleased to learn that Unison, by which I was employed for many years, found in a survey that better consultation with staff and unions helps to motivate staff to work better and thus provide improved services. I should perhaps declare an interest, in that I still have close ties with Unison, as well as with my own union, the GMB, and my former employer, the TUC.

The purpose of the Bill is to require employers with more than 50 employees to inform and consult employees on major decisions that affect their organisation. I do not deceive myself that my proposals will meet with no opposition, but I believe that the arguments against it are diminishing and the barriers reducing. Some will say that the voluntary approach is the best way and that regulation is not necessary. I have three responses to that view.

First, regulation in employment is a helpful trend necessary to limit the vagaries of the unfettered market. Secondly, as I hope I have made clear, the benefits of consultation are enough to justify regulation. Finally, my Bill regulates only when the voluntary approach has failed. In effect, it proposes a floor of rights, in the same way as the Government's Employment Relations Act 1999 does in other areas. I have great pleasure in commending my Bill to the House.

2.29 pm

Mr. Eric Forth (Bromley and Chislehurst): When the hon. Member for Luton, North (Mr. Hopkins) began his garbled, pre-written presentation, there were only 16 minutes—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 15 June.

Remaining Private Members' Bills

ORGANIC FOOD AND FARMING TARGETS BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 11 May.

FIXED-TERM PARLIAMENTS BILL

Order for Second Reading read.—[Queen's Consent to be signified.]

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Roger Casale (Wimbledon): Friday 20 July.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill.

Mr. Casale: I am sorry, Mr. Deputy Speaker. I have the authority of my hon. Friend the Member for Cannock Chase (Tony Wright).

To be read a Second time on Friday 20 July.

EXORCISM OF CHILDREN (PROHIBITION) BILL

Mr. Deputy Speaker: Not moved.

STANDARDS AND PRIVILEGES (INDEPENDENT APPEALS BODY) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday April 27.

SITING OF TELECOMMUNICATIONS MASTS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Hilton Dawson (Lancaster and Wyre): Friday 27 April.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill?

Mr. Dawson: Yes, Mr. Deputy Speaker. I speak with the authority of my hon. Friend the Member for Stourbridge (Ms Shipley).

To be read a Second time on Friday 27 April.

DIVORCE (RELIGIOUS MARRIAGES) BILL

Order read for resuming adjourned debate on Second Reading [2nd February].

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Barry Gardiner (Brent, North): Friday 27 April.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill?

Mr. Gardiner: Yes, Mr. Deputy Speaker. I have the authority of my hon. Friend the Member for Hendon (Mr. Dismore).

Debate further adjourned till Friday 27 April.

ELECTRICITY ACT 1989 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

To be read a Second time on Friday 27 April.

SECRET SOCIETIES (REGISTRATION OF MEMBERSHIP) BILL

Mr. Deputy Speaker: Not moved.

PATIENT CONSENT FORM BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Patrick McLoughlin (West Derbyshire): Friday 18 May.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill.

Mr. McLoughlin: Yes, Mr. Deputy Speaker. I have the authority of my hon. Friend the Member for Broxbourne (Mrs. Roe).

To be read a Second time on Friday 18 May.

CROWN EMPLOYMENT (NATIONALITY) BILL

Order for Second Reading read.—[Queen's Consent to be signified.]

Hon. Members: Object.

To be read a Second time on Friday 27 April.

EDUCATION (STUDENT LOANS) (AMENDMENT) BILL

Mr. Deputy Speaker: Not moved.

RAIL PASSENGER SERVICES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Simon Thomas (Ceredigion): Friday 27 April.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill?

Mr. Thomas: Yes, Mr. Deputy Speaker. I have the authority of the hon. Member for Montgomeryshire (Mr. Öpik)

To be read a Second time on Friday 27 April.

CLIMATE CHANGE BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Simon Thomas: Friday 27 April.

Mr. Deputy Speaker: Does the hon. Gentleman speak with the authority of the Member in charge of the Bill?

Mr. Thomas: Yes, Mr. Deputy Speaker. I have the authority of the hon. Member for Bath (Mr. Foster).

To be read a Second time on Friday 27 April.

ADOPTION BILL

Mr. Deputy Speaker: Not moved.

Point of Order

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Mr. Deputy Speaker. We are honoured to see the Secretary of State for Culture, Media and Sport in the Chamber. It would be helpful if he could make a statement to the House at this beleaguered time. Changes have been announced in grants to the tourism industry, and a lot of hon. Members have called for a statement. There is huge concern across the country about the tremendous problems that will face the tourism industry over the coming bank holiday weekend. We have not had a statement on foot and mouth in the House this week. Given that the Secretary of State is here—certainly for the first time I have seen him this week—is it possible for him to make a statement now?

Mr. Deputy Speaker: I have had no notice to the effect that any Minister is desirous of making a statement. Those on the Government Front Bench will have heard what the hon. Member for West Derbyshire (Mr. McLoughlin) had to say.

Ministry of Rural Development

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

2.34 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I am pleased to have an opportunity to set out my vision for the future of how the countryside should be governed. The debate is about proposals for a ministry of rural development, but it might better refer to a department for rural development. It is time that the post of Secretary of State was established to oversee the countryside.

For several weeks on our television screens and in our newspapers, we have witnessed the carnage caused by the foot and mouth crisis. I do not criticise the conduct during the epidemic of the Minister of Agriculture, Fisheries and Food: I believe that he has battled tirelessly to control that dreadful disease. Nor do I blame the hard-working vets and Ministry of Agriculture, Fisheries and Food officials on the ground who are working flat out to contain foot and mouth through the slaughter policy.

In recent years, MAFF has improved systems of control beyond all measure to ensure that we can have safe food that is traceable to an individual animal. Our systems are now some of the best in the world. I do not want to pre-empt any recommendations that might result from a public inquiry, but as a member for four years of the Select Committee on Agriculture I have witnessed the successes and failings of MAFF.

Four Whitehall Departments are trying in different ways to tackle the effects of the disease. A radically new approach is needed. We cannot achieve a properly integrated approach when rural tourism is overseen by the Department for Culture, Media and Sport, the rural economy and jobs are promoted by the Department of Trade and Industry, the countryside is managed by the Department of the Environment, Transport and the Regions, and MAFF retains overview of farming and agribusiness. In *The Times* this morning, I noticed an advertisement that, rightly, promotes visiting the countryside. It refers to co-ordination of Government policy and bears the logos of all four main Government Departments involved. That is symptomatic of the problems facing the mechanics of government. We need a new department for rural development that will bring together all those elements, managed by new civil servants and led by a new Secretary of State.

In the past four, difficult years, the Government have done much to help rural areas and have shown that they genuinely care about the countryside. The rural White Paper was widely welcomed as a blueprint for the future. It sets out the minimum standards that can be expected for rural services; sets 50 per cent. mandatory rate relief for village shops, pubs and garages; and promises more affordable houses and more help for small abattoirs, backed by £1 billion of taxpayers' money. The rural development plan provides £1.6 billion over the next six years for the rural economy and environment and for rural communities.

The Countryside and Rights of Way Act 2000 has delivered new protection for our environment and wildlife. The Government are rapidly expanding funding for rural policing: through a combination of reorganisation and extra money, we in the Shrewsbury division have put

50 additional bobbies on the beat since 1997. The Government are backing that with record increases in funding for village schools and rural buses, and new policies to protect rural post offices and keep village schools open.

None the less, rural areas face continuing crises that have resulted in farm incomes plummeting and too many services continuing to be lost. In the past 30 years, there has been a slow and steady decrease in the number of village schools, post offices, banks, pubs and shops. Rural bus services were devastated by deregulation, and train services to villages are almost non-existent. Rural areas have been hit hard by escalating fuel costs, although the Government have now ended the fuel tax escalator and cut duties. Furthermore, recent flooding has wrecked businesses and farms: in my constituency, some businesses have been hit six times by flooding from the River Severn.

There are now greater public expectations and demands—in normal circumstances—for better access to the countryside for leisure pursuits, which creates problems for the working environment and new opportunities. Make no mistake, there are no easy solutions. No Government can wave a magic wand and sort out all the complicated issues and problems affecting our countryside.

How do other countries govern their countryside differently? The Library has uncovered the following information. Ireland has a Department of Agriculture and Forestry that deals with farming, forestry, rural development and the rural environment. France has a Department of the Countryside and Forests that co-ordinates rural issues such as planning, water management, land use and protection of the environment, and deals with public rural services and the rural economy. Austria has a federal Ministry of Agriculture and Forestry, which covers farming, forestry, water management, plant protection and fishing, and is committed to improving the quality of life in rural areas. Australia has a dedicated Department of Agriculture, Fisheries and Forestry, which includes the Bureau of Rural Sciences for Sustainable Development, the rural communities programme—covering such issues as counselling services for farming communities, grant support and rural business advice—and a rural partnership programme for economic development.

The United States Department of Agriculture even has a dedicated rural development Under-Secretary, who deals with rural utilities, housing and businesses. There are 36 state rural development councils, co-ordinated by a national rural development council.

In many countries, the rural remit is already encompassed within Departments, allowing a more co-ordinated and integrated approach. Both the Welsh Assembly and the Scottish Parliament have taken steps to develop an integrated rural approach—now, it is England's turn.

To take such an approach would send a strong, positive signal to the countryside that the Government place rural issues at the top of their agenda. The Prime Minister has already taken the lead by postponing local elections and adopting a hands-on approach to tackling foot and mouth disease, for which he is to be commended. However, in future, we need a Secretary of State with the tools at his disposal, so that No. 10 does not have to spend so much time criss-crossing Whitehall to get the job done.

The decision to create such a department for England would lie solely with the Prime Minister. However, I hope that the debate on a new countryside department can begin in earnest. Since my election in 1997, I have consistently argued that we need a radical, new approach. In 1998, with the cross-party support of more than 60 MPs, I tabled an early-day motion calling for the establishment of a new ministry. As a member of the Select Committee on Agriculture, I have taken every opportunity to lobby for it.

Some of my urban colleagues have suggested that a new department is not required. However, when we have a Scottish Parliament, Assemblies in Wales and Northern Ireland and, importantly, a London Mayor and a Greater London Assembly, the minority in the rural areas of England needs a strong voice.

The Institute for Public Policy Research recently proposed sending responsibility for agriculture to the Department of Trade and Industry, with any environmental bits that were left over going to the Department of the Environment, Transport and the Regions. That would be an appalling political mistake and would send a terrible signal to rural areas that they are not deemed worthy of their own department. Right now, they need a rural champion at the Cabinet table more than ever.

What would the new department look like? The Secretary of State would be responsible for the overall direction and strategy and for representing the UK on agricultural and rural issues at the European Council of Ministers; and would co-ordinate all aspects of rural policies with other Whitehall Departments and agencies. The new department would take over the remit of the ministerial group on rural affairs from the Cabinet Office.

Some responsibilities would be transferred to the new ministry; while it would provide input for the rural policies of other Departments. The functions of the existing Ministry of Agriculture, Fisheries and Food would be subsumed into the new department—including European Union agriculture policy reform; farming issues, such as diversification, fisheries, countryside matters, forestry, flood defences, farm animal welfare and genetically modified crops; and MAFF's current agencies. Responsibility for food has already been transferred to the Department of Health under the Food Standards Agency.

The Countryside Agency, which currently pump primes projects in rural areas, would be transferred from the DETR. The new ministry would have input in the DETR's integrated transport policies. Those policies are succeeding—especially the rural bus fund—and should be expanded as a priority. There would also be input in the DETR housing policies. There would need to be close liaison with the regional development agencies and a close relationship with local authorities, including parish councils, to find local solutions.

Responsibility for tourism would be transferred from the Department for Culture, Media and Sport. Responsibility for rural economic policy would be transferred from the DTI, with input from the new ministry to the DTI—for example, on rural post offices and rural small business policies. Responsibility for rural employment opportunities would be transferred from the Department for Education and Employment and the new ministry would offer the DFEE input on policies for rural

[Mr. Paul Marsden]

schools. Finally, responsibility for rural economies should be transferred from the performance and innovation unit to the new ministry.

I hope that a Minister of State in the new department of rural development would be responsible for best practice for job creation and educational opportunities using the latest technology, which can be so useful in rural areas. Obviously, the DETR would have to retain its environmental protection and policing role and a new Select Committee would need to shadow the department. I strongly urge radical reform of the common agricultural policy, so that the new department would spend less time on hands-on bureaucracy and form filling, which MAFF has to do now, and more time on strategy, planning and co-ordination.

Although agriculture and agribusiness will probably continue to employ fewer people directly in farming, there is a golden opportunity for farm diversification and the wider rural economy to expand in a sensitive way after the current crisis. We need a new rural champion at the Cabinet table, with the resources and capability to define and develop a new vision for our countryside. The Secretary of State for rural development would bring together an integrated rural policy for the economy, communities and the environment and would have the power to lobby for fundamental changes to the CAP.

We need a British countryside where young people can find good jobs in a sustainable rural economy; where pensioners have a decent standard of living; where we have the best standards in small village schools, protection for our wildlife and a reduction in pollution; where every village hall or community centre is wired up to the internet; and where small family farms can make a decent living, carving out niche markets for high-quality food products and diversifying into profitable tourism ventures that quietly open up access to the countryside, so that people can see, learn and understand what a beautiful and precious landscape we have. For the sake of our suffering farmers and rural communities, we need to take decisive action now to turn that vision into reality with a new department for rural development.

2.47 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate my hon. Friend the Member for Shrewsbury and Atcham (Mr. Marsden) on securing this debate and on the sober and responsible manner in which he has discussed foot and mouth and the machinery of government. I pay particular tribute to what he said about the foot and mouth epidemic and about the Government's excellent record of investment in rural areas. However, our immediate objective must be to overcome this dreadful outbreak of foot and mouth disease and to return to normality—something that the whole Government are working towards, not just the Ministry of Agriculture, Fisheries and Food or the Department of the Environment, Transport and the Regions.

No doubt, we will want to reflect on that experience in due course and, no doubt, that process will give rise to proposals on how things should be better organised in future. It would be most unwise of me to try to predict what recommendations may emerge, or whether they are likely to cover the machinery of government. However, whatever the departmental boundaries, there has been the closest liaison between all the Departments concerned from the earliest stage. Let me remind my hon. Friend how close that liaison has been.

From the beginning, MAFF worked in close conjunction with the DETR and the Environment Agency on all the policy and practical measures that needed to be taken to contain and eradicate foot and mouth disease. As soon as it became clear that the epidemic was major and that its impact would be felt far beyond the farming community, my right hon. Friend the Minister for the Environment was asked by the Prime Minister to establish a rural taskforce to consider the economic impacts of the outbreak. The rural taskforce, which was set up immediately and has now had three meetings, includes Ministers from MAFF, the Department for Culture, Media and Sport, the Department of Trade and Industry and the Treasury. Ministers and officials from other Departments, such as the Department of Social Security and the Department for Education and Employment, have also attended the taskforce as necessary. The taskforce also includes representatives from the devolved Administrations and from the main outside stakeholders.

The fact that we were able to put together a taskforce of that sort in such short order is evidence that departmental boundaries do not impede co-ordinated working between Departments, wherever those boundaries lie.

As the seriousness of the epidemic grew, the Prime Minister rightly decided that it should be co-ordinated centrally. That was immediately organised. The Prime Minister now presides over a daily multi-departmental group in the Cabinet Office emergency briefing rooms. Again, wherever the departmental boundaries were drawn, I believe that that decision would have been taken. In other words, what is important is that those concerned should work closely and co-operatively together, whatever their specific departmental responsibilities. That has happened and is continuing to happen.

Of course, there are always different points of view about how responsibility should be divided between Departments. It is rare that a Government leave untouched the departmental organisation that they inherit from their predecessor. Governments are recognised for their tendency to reorganise blocks of work between Departments. In some cases, they divide Departments to sharpen the focus on particular national policies. In other cases, they combine Departments to achieve greater synergy, as we have done with the old Department of Transport and the Department of the Environment and with the Department for Education and the Department of Employment.

There is probably no perfect model, and there is certainly no perfect model that will endure through time. As circumstances change, priorities also change. Governments must therefore constantly review how the machinery of government can best be organised to deliver the objectives that they have set themselves. Moreover, priorities can change relatively quickly, and it would be bold of me to predict whether this time next year, there will be the same departmental organisation as at present.

I know that the idea of a department of rural affairs has been suggested by a number of people. Those suggestions date from well before the foot and mouth epidemic. The possibility was already being debated in the media a year

or more ago. Even then, however, there was certainly no consensus among the stakeholders about whether it would make sense. Some argued that there needed to be a creative tension between the interests of agriculture and the interests of the environment and rural development, and that this was best achieved by having separate departments. By contrast, others argued that it was wrong for a single industry such as agriculture to have its own Ministry, and that better policies would be achieved if conservation, rural development and agriculture were all dealt with in a single department. I emphasise that there has certainly been no general agreement that a department of rural affairs is the best way to proceed.

What is absolutely clear and, I believe, accepted by everyone, is that there needs to be close collaboration between those parts of government dealing with agriculture, conservation and rural development policies. I am not sure how far my hon. Friend is aware of the considerable progress that has been made over the past two or three years in ensuring that such collaboration takes place. Following the comprehensive spending review three years ago, it was deliberately decided to establish much closer joint working between the Ministry of Agriculture and the parts of the DETR dealing with rural issues. Those arrangements now involve regular meetings and round-ups between the senior officials from the two Departments and close working at ministerial level, particularly between my right hon. Friend the Minister for the Environment and my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture.

The co-operation has not been limited to the two Departments. Their agencies have also been brought together, and a number of high-level meetings held involving English Nature, the Countryside Agency, the Farming and Rural Conservation Agency and the Environment Agency. The latter is of course also sponsored by both the DETR and the Ministry of Agriculture. That collaboration immensely improved the development of policy on both sides. It meant, for instance, that the DETR had a major input into the European regional development programme, with its much greater emphasis on agri-environment as opposed to production subsidies.

Some will say that it would be even better if all the officials were together in the same Department. That was the burden of the speech of my hon. Friend the Member for Shrewsbury and Atcham. I am aware that in Scotland, agriculture and the environment have been brought together. Clearly, there are advantages, particularly in a relatively small Administration such as the Scottish Executive, but the balance of advantage is certainly not clear-cut, especially given the much more complicated remit of the UK Government.

If we set up a department of rural affairs, would the boundaries necessarily be that much tidier than existing ones? What would be put into it apart from agriculture? Obvious candidates would be rural development, and landscape and nature conservation, but when one begins to think about those possibilities, one realises that the benefits are not necessarily so clear-cut as might first be imagined.

Rural development, for instance, is intimately related to urban development and there is a strong case for believing that they should be considered as two sides of the same coin. We cannot deal with the countryside in isolation from the towns. The development of one must affect the development of the other, and rural and urban policies must be considered together. To take but one example: if we can make our cities attractive places to live, that will lessen the pressure on the countryside. If we build more houses on brownfield sites, we will be able to build fewer on our green fields. So it does not necessarily make sense to deal with policies on development and housing in separate urban and rural boxes.

Even an issue such as wildlife is not necessarily clear-cut. We tend to think of wildlife as largely a rural issue, but in practice suburbia is becoming increasingly important as a reservoir of biodiversity. Is it really right to treat wildlife exclusively as a rural issue?

There is no doubt that water policy is of major importance, as the recent floods have shown. There is also no doubt that it is a major factor in any rural policy. Agriculture relies on it, but it can also be a major source of water pollution. However, it is not just a rural issue, and it is crucial that our policy for water should consider rural and urban needs and problems together so that we achieve a comprehensive solution.

It is because of the need for a co-ordinated approach on so many environmental policies that the DETR and MAFF both sponsor the Environment Agency. Unless one were to give the department of rural affairs the whole gamut of environmental policy, there would still have to be some form of joint sponsorship. That is another example of the difficulty in achieving perfectly tidy boundaries.

In other words, this is an open-ended debate on which there is unlikely to be total consensus. My hon. Friend used a number of interesting arguments, to which I listened with care. Some were good; others were less persuasive. I am sure that the discussion will continue and, if a department of rural affairs were ever created, new pressures would no doubt arise for a different form of organisation. The fact is that no set of departmental boundaries will satisfy everyone.

However, I reassure my hon. Friend that the issue that concerns the Government is not deciding the future shape of Departments, but devoting 100 per cent. of our energies to tackling the foot and mouth epidemic, supporting those farmers and communities most affected by it and ensuring that the energies of all Departments and agencies are focused on that overriding task.

Question put and agreed to.

Adjourned accordingly at three minutes to Three o'clock.

House of Commons

Monday 9 April 2001

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Crime Prevention and Reduction

1. **Mr. Keith Darvill** (Upminster): What assessment he has made of the impact of the provisions of the Crime and Disorder Act 1998 that place a statutory duty on local authorities to prevent and reduce crime. [156020]

The Secretary of State for the Home Department (Mr. Jack Straw): We established statutory partnerships to ensure that the resources and commitment of local councils, health authorities, schools, businesses and voluntary organisations could work better to support the police in the fight against crime. Those partnerships have been very successful and have helped secure the 10 per cent. reduction in crime measured by the 2000 British crime survey.

This morning, the Chancellor of the Exchequer, the Minister of State, Cabinet Office—my right hon. Friend the Member for Makerfield (Mr. McCartney)—and I announced the allocation of £220 million over three years direct to crime and disorder partnerships to spend on measures to help to tackle local drugs markets.

Mr. Darvill: May I thank my right hon. Friend for his reply and tell him how welcome the provisions in the 1998 Act for promoting local partnerships are? However, does he agree, first, that more needs to be done to make local authorities more aware of the implications of section 17 of the Act and to encourage them to make crime and disorder a key consideration in all their areas of activity; and, secondly, that to make further progress in bearing down on antisocial behaviour, the necessary resources need to be devoted to local initiatives both by police and by local authorities?

Mr. Straw: I agree with both my hon. Friend's observations. A great deal has been done, but there is a great deal more to do; we should not be satisfied with the amount of co-operation that has been achieved until crime is almost eliminated from those areas. I have heard good reports from my hon. Friend about the crime and disorder partnership in Havering; there is no doubt at all that where the partnerships are really working, they are very effective indeed in helping to reduce crime and disorder and to make communities feel safer.

All local crime and disorder partnerships now have to put together their further strategies, which have to be ready by 2002. A great deal of work is going on between the Audit Commission, the Local Government Association and the National Association for the Care and Resettlement of Offenders better to ensure that they produce those strategies.

On my hon. Friend's second point, I accept the need for resources; many of them can come from the main programmes of local authorities and the police, because those programmes—for example, on housing—suffer if levels of crime and disorder are high. Savings can be made if levels are lower. The money announced today by my right hon. Friends the Chancellor and the Minister of State, Cabinet Office will go direct to the crime and disorder partnerships; they can use it in whatever way they think best—including, for example, paying for additional applications for antisocial behaviour orders.

Sir Sydney Chapman (Chipping Barnet): However well-intentioned the Crime and Disorder Act 1998 was, is it not a disappointment in at least two respects? First, apparently the child curfew orders are non-existent. Secondly, 1,000 prisoners released early under section 99 have reoffended; some have committed serious offences involving rape, violence and drugs.

Mr. Straw: As the hon. Gentleman knows, amendments are before the other place to raise the level of child curfew orders to 16. We think that that will work. On early release, that provision was always embedded on the Criminal Justice Act 1991, which established the present sentencing framework. The only difference is that under our arrangements, we are providing proper through-care and better security for those who are released. Every prisoner—except a whole-lifer—is, in effect, released early.

Mr. Eddie O'Hara (Knowsley, South): My right hon. Friend will be aware that Knowsley came top of the league for its record on crime reduction. Will he join me in congratulating all those concerned—the council, the police and many other agencies—on achieving that excellent record? It sends out a message to the world that Knowsley is a decent, safe place in which to live and do business—and to that tiny minority who still disrupt the life of the decent citizens of Knowsley it sends the message that their behaviour will not be tolerated.

Mr. Straw: Yes, I congratulate the borough of Knowsley and the Merseyside police service for all their excellent work in getting crime down. We have provided local authorities and the police with the powers for which they asked us and which they need better to tackle crime and disorder. For example, I am pleased to tell the House that, in respect of antisocial behaviour orders, which the Opposition have promised—and I quote—"to tear up", more than 200 have been issued. The latest analysis of the actions taken by the courts in respect of the small number of breaches has found that, of 19 people thus charged,

14 received a custodial sentence—a very, very good message that the courts, too, are taking the new orders seriously.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Home Secretary will know that we very much support crime reduction partnerships. Following the endorsement by the chief inspector of constabulary, I have received answers from Ministers stating that they see the community beat officer as an important part of the fight against crime locally. Given that level of agreement in the House and around the country, will the Home Secretary tell us what progress has been made in ensuring that community beat officers are in place? Do the Government have a target whereby every community will have its own recognised community beat officer? Have the Home Secretary and the Government yet been able to accept that there is also a place—in addition to neighbourhood wardens—for a community safety force under the authority of the local council to bring together all those other people with safety and policing responsibilities in a way that supports the police, gives a presence on the streets and reduces the amount of low-level and other crime?

Mr. Straw: To reassure the hon. Gentleman, he will know that there has at last been an increase in the number of officers in the Metropolitan police force, which is very welcome. In addition, the efforts of the Commissioner of Police of the Metropolis in bearing down on sickness are ensuring that there are 500 extra officers available for beat duty who were not previously available. I am sure that the hon. Gentleman will be pleased to hear that, from next year, we shall require every chief officer for every area to say how each ward and borough is being policed, so we are ensuring a much sharper focus on what everyone regards as extremely important—policing at beat level.

Mr. Robin Corbett (Birmingham, Erdington): May I ask my right hon. Friend to remind magistrates of the range of non-custodial sentences available under the Crime and Disorder Act 1998, and urge them to use them, because they have a very important part to play in trying to curb reoffending? Will he also consider giving housing action trusts and social landlords, who are managing an increasing number of homes, powers to apply for antisocial behaviour orders?

Mr. Straw: On the second point, yes, we certainly will consider that, but meanwhile I tell my hon. Friend that there is no reason at all why housing associations should not co-operate with the local authority to get an antisocial behaviour order in respect of a social tenant who is not the tenant of the local authority—or indeed in respect of someone in private owner-occupation, because antisocial behaviour orders are available for all kinds of tenancy.

On the sentences that should be used, through the Magistrates Association, magistrates are given clear advice about the appropriate level of sentences that they ought to use, and we certainly look to them to issue tough sentences—that was Parliament's clear expectation on antisocial behaviour—when dealing with the terrible anti-social behaviour that has ravaged many neighbourhoods, but which we are now seeing turned around.

Mr. John Bercow (Buckingham): Given that only 200 antisocial behaviour orders have been made—not the 10,000 that the right hon. Gentleman anticipated; given that he started by saying that they were to be used as a last resort, then, four months later, said that they were not; given that the community police officer of the year has described the legislation as "unworkable"; given that, as my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) rightly observed, not a single child curfew order has been issued; and given that local authorities across the country have been smothered with additional duties but deprived—

Mr. Speaker: Order. The hon. Gentleman is supposed to ask a question.

Mr. Bercow: I am grateful to you for that reminder, Mr. Speaker. I am coming to the question and I assure you that it will be worth it. Given that local authorities have been smothered with additional duties and deprived of the support to discharge them, why do not the right hon. Gentleman and his quintet of bumbling incompetents admit their consistent failure and make way for a team that wants to minimise bureaucracy, punish criminals and protect the law-abiding majority of decent citizens of this country?

Mr. Straw: In the unlikely, although possible, event that we were to make way for a team from the Opposition Benches, we would be making way for a Conservative party whose record is indelible: crime doubled under the Conservatives, while the number of people convicted of crime fell by a third. As for the legislation, late last year, the president of the Association of Chief Police Officers described the Crime and Disorder Act 1998 as:

"The finest piece of legislation in terms of crime-fighting we have had in long time."

A former Conservative Home Office Minister said:

"I congratulate the Government genuinely and sincerely on the working of the Crime and Disorder Act 1998 and on the spirit of collaboration with local government that they have inspired by that."—[*Official Report*, 23 June 2000; Vol. 352, c. 599.]

The other difference between us and the Conservatives, should they ever return to power, is that they would tear up the antisocial behaviour orders. Yes there have not been sufficient of them, but 200 communities are now living in safety as a result of the ASBOs and those communities would otherwise face control by the criminals and drug dealers that were there before.

Criminal Records Bureau

2. **Mr. Brian Jenkins** (Tamworth): What assessment he has made of the effectiveness of the Criminal Records Bureau. [156021]

The Minister of State, Home Office (Mr. Charles Clarke): The establishment of the Criminal Records Bureau is being closely managed and monitored and the bureau will operate to high service standards, which will be published. We expect it to begin issuing the higher levels of disclosure documents in the autumn, subject to its systems and processes having been proved under test and pilot conditions and having been shown to be capable of delivering the required level of service to its customers.

Mr. Jenkins: I thank my hon. Friend for that answer. May I also pass on the thanks of the voluntary groups and organisations, because he listened to them and waived the

charges? However, what plans is he putting in place to ensure the accuracy and consistency of the information going into the system, so that people have greater confidence in the working of that system?

Mr. Clarke: I appreciate my hon. Friend's initial remark. He is right to focus on the accuracy of the data, as Her Majesty's inspectorate of constabulary did in its report which appeared on the record in July 2000. We entirely share those concerns, as do the Association of Chief Police Officers, the inspectorate and the Information Commissioner, formerly the Data Protection Commissioner. We therefore welcome the work of ACPO in producing a compliance strategy for forces to implement. All forces have been required to submit action plans to the inspectorate, since when the plans have undergone analysis by the inspectorate. Home Office officials and representatives of ACPO and the inspectorate have met the Information Commissioner to map out a plan of further action, which we hope will lead to a very significant improvement.

My hon. Friend has rightly raised a key question, as did the Select Committee on Home Affairs in its report. We are giving the issue the highest priority in the implementation of the Criminal Records Bureau.

Mr. Crispin Blunt (Reigate): What assessment has the Minister made of the effectiveness of the Prime Minister's crime tsar, Lord Birt, and will we have access to his record of achievement?

Mr. Clarke: As far as I am aware, Lord Birt does not feature in the Criminal Records Bureau which we are discussing now. I have nothing further to add on his report.

Prisons

3. **Mr. Win Griffiths** (Bridgend): If he will make a statement on his most recent discussions with the chief inspector of prisons about prison conditions in England and Wales. [156022]

The Minister of State, Home Office (Mr. Paul Boateng): My right hon. Friend the Home Secretary and I met Sir David Ramsbotham on 5 March to discuss his thematic report on the treatment and conditions of unsentenced prisoners in England and Wales, which was published on 11 December 2000. We discussed a variety of matters to do with conditions in our local prisons.

Mr. Griffiths: I am sure that my right hon. Friend will know about the unannounced visit that the chief inspector made to Parc prison in my constituency, which resulted in the verdict of an excellent recovery after a very rocky start to the life of that private prison. Given that the chief inspector produces reports that show that some prisons do excellent work and that others continue to fail, what discussions did my right hon. Friend have with the chief inspector to try to develop a model of management for the Prison Service that will ensure that best practice is replicated everywhere, and particularly in the prisons that have been failing?

Mr. Boateng: I met Sir David after the inspection of Parc prison, and we meet regularly on a bilateral basis. What emerges from his and my view of Parc—I have visited the prison—is that what works is effective partnership between the prison and the local community, and effective management. Those are lessons that the Prison Service—in the public and private sectors—is taking forward. We can all contribute to that, and I am glad that Sir David has, in the course of his inspection and thematic reports, made his own particular contribution.

Mr. Simon Burns (West Chelmsford): Following the adverse report by the chief inspector on Chelmsford prison and following the visit that the Minister and I made to the prison, will the right hon. Gentleman join me in congratulating the staff and governor of the prison on the vast improvements that they have made? I hope that, when the chief inspector carries out his next unscheduled visit, his report will be infinitely better than the previous ones.

Mr. Boateng: I am enormously grateful to the hon. Gentleman for the interest that he has shown in his local prisons. It helps greatly when hon. Members get involved. I have every confidence in the management of Chelmsford. It, too, is making important links between the prison and the local community. I hope that that will be reflected in Sir David's subsequent reports.

Ann Clwyd (Cynon Valley): How many asylum seekers are being held in prison in England and Wales? Is it not totally inappropriate to hold people in prison conditions who are not accused of and have not committed any crime?

Mr. Boateng: We hold only 1 per cent. of the total number detained at any time in prison. It is a far from ideal circumstance, but we try to ensure that when asylum seekers are held in prison, the conditions and the range of facilities available reflect their particular situation.

Miss Ann Widdecombe (Maidstone and The Weald): Will the prisons Minister confirm that, since 1997, the assault rate of prisoner on prisoner is up and the assault rate of prisoner on staff is up, thus making our prisons more violent; that the percentage of prisoners sharing two to a cell designed for one is up, thus making prisons more overcrowded; that the number of hours spent in purposeful activity is down, thus making prisoners more idle; that slopping out is back on some wings of some prisons, thus making them more degrading; that the number of suicides is up, thus making them more depressing; and that the time spent out of cell is down, meaning that prisoners are locked up in idleness for longer? If, as Churchill said, the measure of a civilised society is how we treat our prisoners, where does this prisons Minister stand in the civilisation stakes?

Mr. Boateng: The right hon. Lady knows very well that in the first two years of our stewardship of the Prison Service, we spent an additional £120 million on prisons for which she did not budget. She also knows that throughout the past four years, we have spent more year on year on education and offending behaviour programmes than her Government ever did. She should also know that this Government are serious about prison

reform, a task on which her Government successively failed to make any headway. The Conservatives talk about it; we do it.

Miss Widdecombe: The prisons Minister appears to be saying that he has spent an awful lot of money for declining results. The flip side is discipline in prison. Is it true that television in cells is not just for the enhanced levels, but for standard levels; that it is no longer permanently losable as a result of disciplinary action; and that where there are two to a cell, it is not even temporarily losable as a result of disciplinary action? Will the right hon. Gentleman also confirm that prison governors are unable to punish juvenile offenders with loss of remission or extra days and that when they smash up their cells on the last day, which one governor told me is a regular occurrence, there is nothing that the prison authorities can do? Is it not true that the Government have presided over a revolving-door prisons policy that has led to another 1,000 victims of crimes committed by those who should be in jail? Finally, in light of the success of Thorn Cross, what possible justification was there for the early destruction of the high-intensity training unit at Colchester before the research results were known?

Mr. Boateng: The right hon. Lady does not do justice to the seriousness of the issue by approaching it in this way. She knows that her Government introduced televisions into cells and that it is this Government, yes, who expanded the number of prisons with televisions in cells. We did that to ensure that prison governors and staff have a range of inducements and incentives to good behaviour, which are withdrawn if there is a failure in good behaviour. That makes a reality of discipline in prisons. We are not simply relying on cheap rhetoric as a substitute, which is precisely what she does time and time again.

Tower Blocks

4. **Mr. Hilary Benn** (Leeds, Central): If he will make a statement on the safety and security of residents in tower blocks. [156023]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): The Government are determined to reduce crime and the fear of crime in all residential areas, including those containing tower blocks. Working with local crime and disorder partnerships, we are introducing a range of anti-crime initiatives, such as the installation of closed circuit television and the provision of concierge-controlled entry points. Some £90 million has been allocated to housing-related projects. Some of today's announcements, including new funding for neighbourhood warden schemes, will help to tackle crime in tower blocks.

Mr. Benn: I assure my hon. Friend that Leeds will bid early and bid often for the resources that have been announced today. He mentioned concierge schemes, CCTV and more beat officers, but how does he propose to share information about what works in the use of those funds? That is what the group of elderly residents of a tower block in my constituency, whom I met last Friday, want to know, so that they no longer feel afraid as they make the journey from the entrance to their block to the sanctuary of their own front door.

Mr. O'Brien: What works is ensuring that we get the design of tower blocks right. We seek to promote the role of good design in community safety, particularly by the "secured by design" initiative administered by the Association of Chief Police Officers which encourages the adoption of guidelines to improve the security of estates and tower blocks. The scheme offers specific guidance on multistorey dwellings and stresses the importance of controlled access to tower blocks. Research conducted last year on a sample of 50 estates in West Yorkshire revealed crime rates per household which are between 40 and 50 per cent. lower on estates meeting "secured by design" principles. That is one of the key ways in which we hope to ensure that good practice is disseminated.

Sir Michael Spicer (West Worcestershire): Talking of tower blocks, what is the latest news in the saga of the Marsham street tower blocks, for which the Home Office is responsible?

Mr. O'Brien: The hon. Gentleman will be aware that we have been considering that issue with great care, and we are anxious to ensure that when the development is complete, it is secured by design.

Ms Karen Buck (Regent's Park and Kensington, North): Last week, I met a group of residents of Adair Tower in North Kensington whose lives have been made hell by three crack houses. One has been closed down but the other two are still operating. Will my hon. Friend join me in congratulating the tenant management organisation and the police on their close working relationship in dealing with that problem? Will he assure me that he and his team are doing everything possible to give the police the tools to act swiftly against crack houses? In particular, will they consider bringing up to date the Misuse of Drugs Act 1971 to include crack, to help the police in their work?

Mr. O'Brien: I agree with my hon. Friend's points. I know that my right hon. Friend the Home Secretary recently visited the area with her and met some of the local people involved in tackling those problems, and he will consider the points raised during that visit. I assure my hon. Friend that tackling crack and associated drugs is high on our agenda. We cannot tolerate the behaviour experienced by the residents in her constituency, and we are determined to deal with it.

"Corpus Juris"

5. **Mr. Howard Flight** (Arundel and South Downs): What the Government's policy is on "Corpus Juris". [156024]

The Minister of State, Home Office (Mrs. Barbara Roche): We believe that the way forward for judicial co-operation in Europe lies not in "Corpus Juris" but in

the measures agreed at the Tampere European Council, including, in particular, mutual recognition of judicial decisions and the creation of Eurojust.

Mr. Flight: Will the Minister give an absolute undertaking that the Home Secretary will not seek any common European Union legal system or permit any interference by Europe in our judicial system?

Mrs. Roche: There is absolutely no intention to have a common legal system. As the hon. Gentleman will know, "Corpus Juris" is merely an academic study; it has not been formally proposed or discussed by the Council of the European Union. We have made progress on mutual legal recognition, which the House will know was an initiative proposed by the United Kingdom Government that has been warmly welcomed by other member states.

Mr. Denis MacShane (Rotherham): The term "corpus juris" is a bit of Euro-babble which, translated into plain English, means a legal means to crack down on the immense fraud that exists in Europe. I should have thought that the hon. Member for Arundel and South Downs (Mr. Flight), as a director of some 17 companies that take investors' savings, would be concerned to join in the crack-down on fraud. I invite my hon. Friend the Minister not to listen to the anti-European rhetoric of the Opposition, but to work to create systems on the basis of mutual recognition to deal with the serious problem of fraud—the black holes into which too much European money disappears. The Opposition should be determined to crack down on the problem, instead of waving it away.

Mrs. Roche: Of course, the phrase "corpus juris" originally comes from the work done in the reign of the Emperor Justinian. *[Interruption.]* Before the Opposition get too excited, may I say that my hon. Friend the Member for Rotherham (Mr. MacShane) is right—we do need to crack down on fraud in the European Union, which is why we celebrate the creation of Eurojust, and why, following an open competition—*[Interruption.]* This is a serious point. Following an open competition, Mr. Mike Kennedy, who is currently the chief Crown prosecutor for Sussex, has been selected to represent the United Kingdom on that important institution.

Mr. Nick Hawkins (Surrey Heath): How does the Minister square her initial answer to my hon. Friend the Member for Arundel and South Downs (Mr. Flight), that her Government were against "Corpus Juris", with the votes of Labour Members of the European Parliament as recently as 14 March, when they voted to undermine our traditions of habeas corpus, and for a European public prosecutor—a specific part of the "Corpus Juris" proposals—who would have the power to detain suspects without trial for nine months?

Mrs. Roche: As the hon. Gentleman and the Opposition know, we are entirely against "Corpus Juris". We have made the Government's position absolutely clear.

Private Security Firms

6. **Mr. Bob Russell** (Colchester): If he will make it his policy that streets and other public places will not be policed by private security firms. [156025]

The Minister of State, Home Office (Mr. Charles Clarke): It is the police who have the job and responsibility of policing our streets. The office of constable is a constitutional role, which we will rigorously uphold. However, we believe that a range of other agencies have a key partnership role to play in supporting the police in those efforts, and we believe that the Private Security Industry Bill will assist that process.

Mr. Russell: Can the Minister clarify his answer? I am not sure whether he is saying that there will or that there will not be privatised police on our streets. Surely people want proper police officers and more bobbies on the beat. Does he agree that when people have paid their taxes, they expect to see police officers on their streets?

Mr. Clarke: There are two points. First, the answer to the hon. Gentleman's question is yes—people are entitled to see police numbers going up. The numbers are going up. By March next year, we will have more police than we inherited, and by March the following year, we will have more police than there have ever been in this country, thanks to the decisions taken by the Government. Secondly, it is important for the hon. Gentleman to recognise that although there are currently 126,000 police officers, there are 300,000 to 350,000 private security guards in various parts of the country. It is important that we build effective co-ordination and partnerships between those people and the police.

Mr. Barry Jones (Alyn and Deeside): Can my hon. Friend say whether in our streets and other public places there is now less vandalism and less graffiti?

Mr. Clarke: I can certainly say that in most parts of the country that is true, but in some parts there are serious issues of vandalism and graffiti that have not yet been tackled fully. That is why we have the crime and disorder partnerships to which my fellow Minister, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) referred earlier.

Mr. Michael Fabricant (Lichfield): Does the Minister not realise that all the speculation arises from the fall in police numbers? He knows that there are 1,600 fewer police officers now than there were when Labour came to power, and 6,000 fewer special police constables on the streets now than there were when he first came to power. Does he agree with the chairman of the West Yorkshire Police Federation, who said, with reference to the cut of 400 police officers:

"The blame lies fairly and squarely with Jack Straw. . . It's a total mess."?

Mr. Clarke: We have had this argument on many occasions, and I do not think that I have a great deal to add. The fact is that police numbers fell from 1993 until March last year. At about that time, they started increasing significantly. As my right hon. Friend the Home Secretary

said, they increased by almost 1,000 in the 10 months up to January this year—the biggest increase ever. They increased in almost every police force in Britain. As I said, those increases will ensure that by March next year, there will be significantly more police officers than we inherited. That is a significant achievement and a change from the policy that the hon. Gentleman's Government pursued from 1993. We agree that we need more police officers, but unlike the Conservative party, we have taken the steps to ensure that we will have them.

Ms Rosie Winterton (Doncaster, Central): The cowboy clampers were out on the streets of Doncaster again on Saturday, coining in as much money as possible from passing motorists. Presumably, they wanted to do so before, thanks to my hon. Friend, the law comes crashing down around their heads in the form of the Private Security Industry Bill. Until that happy day, however, will he consider the possibility of his Department keeping a record of complaints about clamping companies, so that the Security Industry Authority can distinguish between reputable and disreputable companies?

Mr. Clarke: I shall certainly consider that proposal. I should like to take this opportunity to pay tribute to my hon. Friend for her work to promote the licensing of wheelclampers, which the Private Security Industry Bill is taking forward. The Bill will make a material difference, and I hope that it will prevent the sort of activity that she has seen on the streets of her constituency.

Rev. Martin Smyth (Belfast, South): The Minister will know that an interesting experiment has been conducted at Blue Water, which is paying for local police officers to carry out patrols. Are there any plans to extend that practice, so that police officers will be identifiable in public places?

Mr. Clarke: Such plans do exist, and there are a significant number of examples, including the Broads Authority in my county. The cities of Hull and Liverpool have put in considerable resources. We want to encourage such partnerships in a wide variety of different ways, whether in public sector bodies such as the national parks authorities or city councils, or in the private sector, as with their use by the retail industry at the Blue Water development. However, I am keen to rebut the suggestion made by the hon. Member for Colchester (Mr. Russell) that that replaces the need for a proper number of police throughout our country. It does not. That is why we want both to increase the number of police officers, as we are doing, and to build partnerships to ensure safer and more secure communities throughout the country. That is the Government's policy, and that is what we will carry forward.

Mr. Dennis Skinner (Bolsover): How many police officers are engaged in searching for royal lines of crack?

Mr. Clarke: I deeply regret that I cannot give my hon. Friend an up-to-date account of precise police resources in this area, but I think that he makes his point effectively.

Mr. Geoffrey Clifton-Brown (Cotswold): Does the Minister accept that the police are becoming less and less visible in rural areas, because there are fewer police, fewer special constables and, above all, fewer rural police stations? Does he agree that the rural police, who should be visible and patrolling our streets, will never be replaced by private security officers? They are no substitute.

Mr. Clarke: I do not accept the hon. Gentleman's suggestion at all. The fact is that Gloucestershire, where his constituency is located, now has 28 more full-time officers than it had in March 1997. Numbers have continued to increase since then. There are now more police in Gloucestershire than there were when the Government came to office. I think that he should welcome that. More generally, perhaps he would also like to welcome—as he has done personally to me—the fact that our rural policing allocations have given significant extra support to rural constabularies such as that of Gloucestershire. That is how policing can be improved in the way that both he and I believe to be necessary.

Black and Asian Police Officers

7. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on the recruitment and promotion of black and Asian police officers. [156026]

The Secretary of State for the Home Department (Mr. Jack Straw): Most police forces are on course to meet their recruitment targets or come close to them, but there is still a great deal to do on that and on ~~pro~~gression of black and Asian police officers. There were 2,915 ethnic-minority officers at the latest count, an increase of just under 580, or about 25 per cent., since March 1997. An inspection of forces by Her Majesty's inspectorate last year found that there had been an overall improvement in forces since the previous inspection in this area in 1998.

Dr. Iddon: I think that my right hon. Friend will agree that the efforts made so far by Greater Manchester police to recruit from the black and Asian community have been disappointing. Has any analysis of the reasons for that been carried out? Is it something to do with the culture in the police force? Why are black and Asian people in Greater Manchester reluctant to join the police, and are any special strategies being introduced to deal with the situation?

Mr. Straw: As I said, all forces are making progress, although it has not been swift enough. Between March 1997 and January this year, the number of black and Asian officers in the Greater Manchester area increased by 26, from 161 to 187. That is a rise of about 15 per cent.; it is not as high as the increase in the country generally.

I think that one reason for the shortage is that for a couple of years there was a recruitment freeze in many areas, including Greater Manchester. There are some cultural issues, but I know that the chief constable and chairman of the Greater Manchester police authority are anxious to deal with them.

Mr. Nigel Evans (Ribble Valley): Does the Home Secretary agree that we should do much more to encourage young black people and Asians to take up careers in the police force? I have asked some questions in Lancashire about police numbers generally. I was told only two weeks ago that the number of regular constables had fallen by 30, and the number of specials by 121,

since the last general election. Is there not an opportunity for the Government to redouble their efforts? Could they not visit sixth forms, colleges and youth clubs to encourage young black people and Asians in particular to join the specials, and to see the police force generally as a chance for them to play their part in reducing crime in Lancashire?

Mr. Straw: The reason for the fall in the number of specials dates back to the Police Service (Health and Safety) Act 1997, a Conservative measure passed towards the end of the last Government that made health and safety requirements the same for volunteer specials as for full-time employed police officers. The former Home Secretary furrows his brow. He may not even have noticed that the legislation was passed while he was Home Secretary, but that is the truth of it, and that is why police services across the country have charted a reduction in specials. We consider that very unsatisfactory, and we want the numbers to increase.

In Lancashire, there has been a 50 per cent. increase in the number of black and Asian officers during the past four years: it has risen from 33 to 49. As the hon. Member for Ribble Valley (Mr. Evans) may have noticed, the whole of the most recent edition of the Lancashire constabulary's newspaper is devoted to further work that the police are undertaking to increase the proportion even more.

Mr. Gordon Prentice (Pendle): There are only 596 women police officers drawn from the ethnic minority communities. That will concern my right hon. Friend, as it concerns me. What can we do to persuade more Asian women to join the police? Is there not a case for gender targets for officers drawn from ethnic minority communities? I suspect that most of those 596 are black women, with only a handful of Asian women. We must get more Asian women into the police force.

Mr. Straw: It is important for my hon. Friend not to generalise about Asian women. There are significant cultural differences between women of Asian heritage who come from the Muslim tradition and those from the Sikh or Hindu tradition. We know that there is a cultural problem among, in particular, some sections—not all—of the Muslim community in respect of encouraging women to join uniformed services such as the police. That is as much an issue for the Muslim community as it is for the police service, and we must make progress.

As for whether we should set a specific target, the proportion of women in the black and Asian population of the police service is just below the proportion of women as a whole in the police service. I do not think that there is a case for separate targets at present, but we will certainly keep the matter under review.

Asylum Seekers

8. **Mr. John Wilkinson** (Ruislip-Northwood): What assessment he has made with his EU counterparts of the operation of the Dublin convention on the treatment of asylum seekers. [156027]

The Secretary of State for the Home Department (Mr. Jack Straw): The Dublin convention has not worked as it should. The procedures are slow and cumbersome and, crucially for the United Kingdom, agreements between member states to transfer asylum seekers under the convention have been subjected to repeated difficulties because of judicial review challenges in United Kingdom courts.

In the European Union, we have been leading the case for reform of the Dublin process. We await proposals from the Commission.

Mr. Wilkinson: Instead of waiting for proposals from the Commission, is it not about time that the Government got a grip of border controls in this country? Is it not a fact that last year there were about 76,000 asylum applicants, and that about 60,000 were ineligible for asylum, but only about 9,000 went back? Is it not high time that European Union countries, instead of playing pass the parcel with humanity, took care to exercise their responsibilities effectively so that applications from asylum seekers are processed in the first EU country in which they arrive?

Mr. Straw: I agree with the hon. Gentleman's last remark. The principle of the Dublin convention is that asylum seekers' applications should be processed in the first EU country in which they set foot. The difficulty is the way in which the convention has been constructed, and the repeated problems that we have faced over, for example, decisions by our higher courts to classify France and Germany as unsafe third countries, a view with which I respectfully disagree.

As the hon. Gentleman knows, we inherited the Dublin convention. It was signed in 1990 and did not come into force until October 1997. We have been working hard—I have taken the lead in Europe—to propose changes to it. We have doubled the number of removals over the past four years, but one of the major problems in that context is the convention and the way in which our courts have sought to interpret it. That is why we are engaged in further detailed discussions within the Commission to try to change its wording.

Mr. Neil Gerrard (Walthamstow): In the negotiations on replacing the Dublin convention, does my right hon. Friend recognise that there is a danger that agreement will be reached by sinking to the lowest common denominator? In that context, we might think twice about exporting the voucher system to the rest of Europe. What steps are being taken to try to influence the process, given that we are not, as a result of the Amsterdam treaty, fully signed up to a common system across Europe?

Mr. Straw: We accepted article 64 of the treaty, which provides for common minimum standards for asylum seekers. Work is taking place on proposals in respect of that. We must move towards a common playing field. We cannot have a circumstance where there is effective free movement across every other country in the EU and we have border controls, and where our definitions of whether someone should or should not be given asylum have been judicially interpreted in a way that is significantly at odds with the interpretations of courts in other European countries.

I do not accept my hon. Friend's suggestion that we will drop to the lowest common denominator. Every member of the EU is a signatory to the European

convention on human rights, which sets a basic template for how individuals are treated. For example, it already secures a common policy on ultimate removals, which is why decisions to declare France and Germany unsafe states within the refugee convention are all the less explicable.

Mr. Michael Howard (Folkestone and Hythe): The Home Secretary is right to remind the House that the Dublin convention was signed as long ago as 1990, before our problems were on anything like their present scale, and that its objective was to ensure that asylum seekers made their applications in the first EU country that they reached. If the convention is not working as intended, it should be revised or we should consider withdrawing from it.

In so far as our problems are being caused by decisions of the United Kingdom courts, what steps is the Home Secretary taking to introduce legislation to overrule them? Does he know that, this year alone, nearly 1,200 people have been apprehended in the UK terminal of Eurotunnel in my constituency? What progress has been made to persuade the French Government to ensure that SNCF reinforces the fencing for which it is responsible at the Eurotunnel terminal at Coquelles?

Mr. Straw: On the right hon. and learned Gentleman's last point, I have had many discussions with, and made representations to, the French Government and SNCF to ensure that they reinforce security measures at their end of the tunnel. As he knows, I have introduced a civil penalty for rail freight as well as other carriage through the tunnel better to secure that and to bear down on SNCF. The French Government have already agreed to introduce juxtaposed controls for passengers on Eurostar services. They have promised to introduce legislation on that by June.

On the right hon. and learned Gentleman's first question, section 11 of the Immigration and Asylum Act 1999 sought to deal with the problem of the definition of safe third countries in a case known as Adan and Aitsegeur before the Court of Appeal. However, I regret that members of the Judicial Committee in another place have decided on an even wider interpretation of a safe third country. We are therefore considering further changes to legislation.

Mr. Mike Gapes (Ilford, South): Will the Home Secretary confirm that whatever changes we might make, this country will remain a safe haven for Muslims and others who are fleeing from the Taliban in Afghanistan, people such as my constituents who fled the civil war in Somalia, and Iraqi Kurds fleeing Saddam Hussein? Will he also confirm that Labour Members will have nothing to do with the outrageous views of the hon. Member for East Yorkshire (Mr. Townend)? It is about time that the Conservative party removed the Whip from him.

Mr. Straw: Of course, I confirm that we shall continue to uphold in every particular our obligations under the refugee convention to grant refugee status to those who have a well-founded fear of persecution. I accept my hon. Friend's comments on the hon. Member for East Yorkshire (Mr. Townend). However, I regret that many Conservative Members have consistently sought not to tackle but to exploit one of the most difficult problems for Europe.

Mr. David Lidington (Aylesbury): When the Home Secretary next consults his EU counterparts, will he consider why asylum applications in the United Kingdom reached record levels, but fell in Germany and the Netherlands? Will he accept that common sense and experience from overseas suggest that extensive use of the power to detain asylum seekers in secure reception centres and fast-tracking manifestly ill-founded claims are the way in which to deter unfounded claims? Will he recognise at last that the policies that Conservative Members have advocated for some years would result in our being able to tackle the problem and would be significantly better for our national interest than the shambolic system over which he presides?

Mr. Straw: The hon. Gentleman's figures are wrong. Last year, the number of asylum applications rose by 7 per cent. over the previous year. Applications fell in Germany, but they increased by a higher figure in the Netherlands. We remain seventh in the league table per head of population. The Netherlands has almost twice as many applications per head. That also applies to Belgium, Ireland, Switzerland, Norway, Austria, Denmark and Sweden. It is a Europe-wide problem. It must be thought through, which the Conservative party has failed to do. The number of applications being decided in a year has trebled compared with when the Conservative party left office. As a result, the backlog is at a seven-year low—well below the level when it left office.

To give a further illustration of the way in which Conservative Members do not seek seriously to deal with the problem, but instead exploit it, it was they who chose to fight against the civil penalty—the £2,000 per clandestine—which has been the single most important measure to bear down on the criminals. They would destroy it.

As for detention space, like the right hon. Member for Maidstone and The Weald (Miss Widdecombe), the hon. Gentleman speaks about the idea, although it would be impossible, inhumane and ridiculously costly to detain every single asylum seeker. However, when we propose an extra detention centre—in Aldington in Kent—what happens? Conservatives locally and nationally oppose it. That is the policy: they want detention centres anywhere but in their own Conservative backyards.

Secure Training Centres

9. **Mr. Tim Boswell** (Daventry): What plans he has to increase the number of secure training centres. [156028]

The Minister of State, Home Office (Mr. Paul Boateng): The Youth Justice Board has responsibility for commissioning and purchasing places for young people in the juvenile secure estate and has recently announced a £250 million reform plan to improve youth custody arrangements. In the four-year plan, 400 new places will

be made available in new secure units for boys and girls sentenced to custody. That will be a substantial addition to the present 130 secure training centre places.

Mr. Boswell: Has the right hon. Gentleman had a chance to study the excellent recent inspection report on the second secure training centre at Rainsborough in my constituency? Will he accept my own evidence from a follow-up visit that it is indeed working successfully? I notice that the Home Secretary nods. As the present ministerial team when in opposition rubbished the imaginative idea of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the then Home Secretary, and as it now appears to have had second thoughts about its merits, will the Government commit themselves to the target of 1,000 places that has been offered by the incoming Conservative Government?

Mr. Boateng: Conservative promises must be judged against the Conservatives' performance in office. They took the power to do this in 1994. It was not until this Government came into office that any were built. Again, it is all yack, yack, yack from the Conservatives. It takes a Labour Government to do anything about crime and disorder.

Dr. Phyllis Starkey (Milton Keynes, South-West): The Minister will be aware that many of the young people who are likely to go into such secure units have very poor educational achievement and often a variety of other problems. Can he assure me that the units will be sufficiently well funded to provide good-quality support for those young people, meeting their education and other needs, so that they have a realistic chance of leaving the unit able to lead a law-abiding life in their community?

Mr. Boateng: I can give my hon. Friend that assurance. Recently, Baroness Blackstone, the Minister for Education and Employment, and I visited one of the institutions where the link is being made between custodial experience and the importance of addressing numeracy and literacy deficits, and people's experience on release from custody. That is the objective in Medway and the other secure training centre. The Youth Justice Board is resourced precisely to achieve that objective. Those young people have a chance to improve their education; some of them have that chance for the first time. We must ensure that they do not lose it.

Police Manpower

10. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on police manpower in England. [156029]

The Secretary of State for the Home Department (Mr. Jack Straw): There were 125,537 officers in total in England and Wales on 31 January, an increase of 990 since September 2000 and of 1,367 since March 2000—the largest rise in a single year for more than a decade. On the basis of the money that we have put in, there should be 128,000 officers in total by March 2002 and, by March 2003, numbers should reach record levels, well above the 128,290 recorded in March 1993.

Mr. Brady: I am grateful to the Home Secretary for that answer. However, his record in office so far is no ground for such optimism. How many additional regular constables, for example, would be required to make up for the loss since he came to office of 6,000 special constables?

Mr. Straw: The only people who are sad about the fact that police numbers are increasing are Conservative Members.

Foot and Mouth

3.30 pm

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): With permission, I should like to make a statement on the foot and mouth outbreak. As I have done on seven previous occasions in past weeks, I wish to update the House, before the Easter recess, on the latest position on the disease, set out the measures that the Government are taking and give right hon. and hon. Members an opportunity to raise issues with me.

As of 7 pm yesterday, Sunday 8 April, there had been 1,134 confirmed cases of foot and mouth disease. As of 2 pm today, I had been informed of a further 10 cases. As of 7 pm yesterday, the number of animals authorised for slaughter was 1,366,000, of which 888,000 had been slaughtered and 478,000 awaited slaughter. About 329,000 animals remained to be disposed of. That is out of a total United Kingdom cattle, sheep and pig population of more than 55 million, and against a figure of 500,000 animals that would go for slaughter in a normal trading week.

It is still too early to predict the future course of the epidemic. Epidemiologists are constantly updating their data as the outbreak progresses, but they still cannot say with any certainty how long it will continue. Although there are some encouraging signs, this is an exceptionally serious outbreak with a long phase-out period and we cannot afford a moment's complacency.

There is considerable agreement among the four groups modelling the epidemic. In particular, all have concluded that the two key interventions in tackling the disease are, first, and the highest priority, to cull all animals susceptible to the disease—principally cattle, sheep and pigs—on infected farm holdings within 24 hours; and, secondly, to cull susceptible animals in neighbouring farms that share a boundary—the so-called contiguous cull—within 48 hours.

We appreciate that the latter is very difficult for farmers to accept, but it is vital for the overall success of our disease control policy that all potentially infected animals are culled. I urge farmers, in the strongest terms, to co-operate with us in seeing that through. Expert advice is that those premises will have been exposed to infection and need to be dealt with quickly.

I have written to all livestock farmers making three key points. I have set out advice from the chief veterinary officer on biosecurity on farm. I have urged co-operation with the necessary culling of animals on neighbouring premises to infected holdings. I have also appealed to farmers not to jeopardise their own disease status, and that of other farmers, by moving animals around without a licence. Some of the isolated cases that have appeared in recent days and weeks seem to be directly attributed to farm-to-farm transmission from infected areas to clean areas. That point was made very forcefully to me and the Prime Minister at our meeting this morning with the National Farmers Union, and we share its concerns.

Across the country, the 24-hour report-to-slaughter target is being met in almost 80 per cent. of cases. When cases are not completed within 24 hours, they are being dealt with shortly afterwards. The 48-hour target for contiguous premises is more difficult to meet because of the sheer weight of numbers, but progress is encouraging, with some areas achieving about 70 per cent. within deadline. It is particularly important that we hit that target in any new outbreaks away from the heavily infected areas to prevent further spread, and resources are being concentrated to that end.

In support of that strategy, we have committed more and more resources to ensuring that any possible blockages are removed. We have significantly increased the number of vets on the ground to 1,522, with more being recruited. We are employing more than 650 people as temporary animal health officers, to supplement the 200 regular officers in the state veterinary service. We have appointed 11 directors of operations in the most affected areas. The Army is deployed in all the key areas, with 1,842 troops committed to this outbreak, and I am grateful for the excellent support provided by the Army and the Ministry of Defence.

We have taken other practical steps to eliminate delay. We have introduced a generous standard tariff to speed up the valuation of animals, while at the same time safeguarding farmers' rights. We have reduced the turn-round times for vets visiting farms, wherever possible—for instance, by altering the reporting procedure for new cases.

We are very aware of the financial difficulties that many farmers are facing at this difficult time and we have addressed the problem in four ways. First, compensation for slaughtered animals is currently estimated to reach more than £247 million and is still rising. Secondly, we are paying £156 million in optional agrimonetary compensation to livestock farmers: payments begin this week. The package is worth about £2,750 to the average dairy farmer, £650 to sheep farmers, £650 to suckler cow premium claimants and £450 to beef special premium claimants.

Thirdly, we have introduced the livestock welfare disposal scheme as a last resort for livestock farmers whose animals face welfare difficulties as a result of foot and mouth disease-related movement restrictions. The tariffs for animals slaughtered under the scheme are generous. The estimated value of this optional scheme depends, of course, on take-up, but it is likely to be in excess of £200 million.

Fourthly, we have ensured that, where animals slaughtered are the subject of a current subsidy claim, subsidy entitlement will be preserved as a result of the application of EU rules on force majeure. Overall, we have committed more than £500 million to farmers so far in the course of this outbreak.

Vaccination remains an option, but it is not an easy option. There are no easy options. Hon. Members are aware of the arguments for and against vaccination. We are prepared to vaccinate if necessary—we have obtained the approval of the European Union Standing Veterinary Committee for vaccination in the UK under certain circumstances—but it would be a major step to take, with significant consequences. We are constantly reviewing the position and will continue to do so.

Many farmers are currently keeping cattle indoors, which is helping to minimise the risk of the spread of infection. We hope that it may soon be possible to release some areas from restrictions, either completely or partially. There are two aspects. First, we will consider whether we can safely reduce the size of one or two areas that currently extend beyond a 10 km radius.

Secondly, once all the necessary veterinary inspections and blood testing have been completed we will consider lifting one or two infected areas completely where there have been no new cases for 30 days. I hope that it will be possible to start making progress on both those actions in the next week or two, but, again, disease control must remain the priority.

My ministerial colleagues in many other Departments and I are doing all that we can to promote the message that the countryside is not closed. More and more properties and visitor attractions are opening again and being publicised. We hope that over the Easter period visitors will return. We have provided updated advice to zoo owners and to royal parks, which will help them to make decisions on whether to reopen.

My right hon. Friend the Minister of State is today participating on my behalf in the Informal Council of European Union Agriculture Ministers in northern Sweden. She will update colleagues on the progress of the outbreak here. We are continuing to work very closely with our European Union colleagues, who remain supportive of the efforts that we are making to bring the outbreak to an end.

We will continue to channel all our efforts into ensuring that our targets of 24 hours from report to slaughter, and 48 hours to culling neighbouring farms, are met. With continued support from Members of Parliament, farming organisations and many others, together we can succeed in our aim of eradicating this disease.

Mr. Tim Yeo (South Suffolk): I am grateful to the Minister for making his statement available a few minutes before he made it to the House.

I shall begin by expressing again my warm appreciation of the efforts of all those who are working to contain the spread of foot and mouth disease. I pay tribute to the role of the Army and the work of vets, slaughtermen and many others engaged in that task. Despite their excellent work, the signs are that foot and mouth disease is not yet under control; I shall return to that in a moment. I am sure that the whole House will unite in expressing deep regret at the scale of the human and animal tragedy now occurring.

In many parts of Britain, farmers are witnessing the destruction of their life's work and the killing of animals that they spent nights and days bringing into the world, nurturing and rearing. Alongside that suffering is another rapidly growing problem: the animal welfare crisis affecting 1.5 million animals, whose owners cannot move them because of foot and mouth restrictions—*[Interruption.]* I am sure that people who are concerned with animal welfare will note with interest the murmuring of Labour Members. There are problems with ewes and lambs in muddy fields and pigs that are in desperately overcrowded conditions; there is real distress as farmers wait for the welfare disposal scheme to start to operate.

On the issue of animals awaiting slaughter under the welfare disposal scheme, will the Minister publish regular figures at least once a week so that the size of that part of the problem can be measured? How long does he expect it to take to cure the large backlog? May I assure him that if special measures or powers are needed for that purpose, we will give our full support to any steps that are likely to be effective?

On the question of compensation, is he aware that I have sent him a letter setting out the categories of farmers who merit additional compensation? In his statement, he referred to agrimonetary compensation. Will he confirm that that was due to farmers because of the weakness of the euro and has no direct relationship with foot and mouth disease?

I do not think that anyone—with the possible exception of the Minister—would try to claim that the disease is under control. Does he agree that if that claim is to be credible, four tests must be met? First, is the 24-hour report-to-slaughter time being met consistently? Secondly, is the geographical spread of the disease being reversed? Thirdly, have the bulk of the movement restrictions on healthy animals been lifted? Fourthly, is the number of confirmed new cases falling steadily? When all four tests have been met I—and, I believe, most others—will agree that the foot and mouth crisis has been resolved. I hope and pray that that day is reached sooner rather than later.

At present, it is hard to judge progress on meeting the first test as the Minister seems to have ceased daily publication of the figures that we need to make that judgment. Until last Thursday, the Ministry published cumulative and daily totals for animals authorised for slaughter; for animals slaughtered; for carcases disposed of; for animals still awaiting slaughter; and for carcases awaiting disposal. Given the Government's readiness to publish figures that contain good news, the suspicion must be that, by failing to update figures daily, they may be concealing the fact that the position is getting worse, not better, especially as the Minister's own figures, which he has just quoted, suggest that the totals are the worst ever in the six and a half weeks since the outbreak was first discovered.

At least 67,000 animals awaiting slaughter last night had been on the waiting list for at least a week. According to the Minister's own targets, no infected animals and no dangerous contact animals should be alive for more than two days. Does he agree that, unless information is available, nobody can judge whether the 24-hour report-to-slaughter target for infected animals and the 48-hour target for dangerous contact animals is being met? Two and a half weeks ago, the chief scientific adviser said that it was essential to meet the first of those targets if the outbreak was to be controlled. Will the Minister confirm that each time he or the Prime Minister says that progress on those targets is being made, they do so on the basis of genuine figures? Will he therefore resume daily publication of those statistics in the five categories that I mentioned? Will he provide the additional breakdown of infected and dangerous contacts that he and I debated in the House last Thursday? Does he agree that as Parliament is starting a 12-day recess tomorrow, daily publication of those figures during the recess becomes absolutely essential?

Does the Minister recognise that there will be great concern at the fact that only 70 per cent. of dangerous contact animals are slaughtered within 48 hours, and only in certain areas? Many dangerous contact animals may contract the infection or be incubating it before they are slaughtered, and the risk of the disease spreading exists from dangerous contact animals, as well as from infected animals.

Turning to the steps that the Government are taking, does the Minister agree that there are frequent reports of delay at the operational level, and of muddle? Does he accept that it would help if an Army commander were put in charge of the slaughter and disposal operation in each region? In this context, will the right hon. Gentleman say

[Mr. Tim Yeo]

from where the 11 directors of operations are drawn? Will he confirm that when the Prime Minister is absent, the meetings of the Government's own crisis management committee, known as Cobra, are chaired not by himself, but by the Secretary of State for Defence, who seems to be unrepresented in the House today, as is the Department of the Environment, Transport and the Regions? Is not the fact that the Secretary of State for Defence chairs the Government's own crisis committee in London a sign that the same approach should be followed on the ground in the regions?

Will the Minister say how many slaughtermen are now being used and whether he is confident that there are enough? How many appeals have been launched by farmers? Does he agree that some appeals may be made because of confusion about what constitutes a contiguous farm? Given that, in some cases, there are reports that, even on a contiguous farm, delays of more than two weeks are occurring before slaughter takes place, some farmers may wonder whether there is any purpose in then slaughtering healthy animals. Surely the purpose of slaughtering animals on contiguous farms is served only if it is carried out quickly.

On vaccination, I understand the difficulty that the Minister has in reaching a decision; it is a finely balanced issue. However, does he realise that he faces this difficulty simply and solely because of the failure of the Government to enforce their previous policy in an effective and timely way? Vaccination is a last resort—an alternative that the Government must now consider because they were too slow in carrying out their own slaughter policy. Will he confirm that it is 10 days since Downing street was spinning that a decision on vaccination would be made in 48 hours?

Does the Minister agree that there are three key questions on vaccination? First, will it speed up eradication of foot and mouth disease? Secondly, will it reduce the number of animals that have to be slaughtered? Thirdly, will it bring forward the date on which Britain's status as a disease-free country is restored? If the answer to at least two of those questions is yes, the case for vaccination is very strong.

Does the Minister agree with those criteria? If he does not, what criteria is he using to decide? Will he publish the scientific advice on which his decision is based? Now that the disease has spread to new, previously uninfected areas—some of which are a long way from existing outbreaks—does he consider that there is a case for using vaccination to create a firebreak around at least one of those areas to help to establish the acceptability and effectiveness of vaccination? While the Government have been contemplating this policy, has a contingency plan been prepared so that stocks of vaccine are in the right place, and have suitably qualified people to administer it been identified?

Will the Government now admit that their own mishandling of the foot and mouth outbreak has contributed significantly to the present scale of the problem? Will the Government recognise that the disease would not have spread as widely as it has if they had taken more prompt and effective action? Will the Minister accept that if he had followed the timely suggestions made by the Conservative party, the situation today would be less serious than it is?

The Government's refusal to learn the lessons of the 1967 outbreak, their neglect of the report of the Northumberland inquiry and western command, their delay in calling in the Army and giving them a fuller operational role and their reluctance to consult epidemiologists about the likely spread and scale of the disease have led to the extent of the present problem.

Together, they amount to ministerial negligence, which has cost thousands of farmers their livelihoods, is day by day inflicting appalling animal suffering, is destroying a sizeable part of Britain's tourist trade and will cost industry and the taxpayer billions of pounds. Against that background, will the Minister share with us, as frankly as possible and as he has promised to do, his views on why the disease is not yet under control? Why do his own figures continue to show a worsening position? Does he recognise, even now, that a more urgent and large-scale response is needed if we are to gain control of this hideous crisis?

Mr. Brown: I see that the bipartisan effort to deal with foot and mouth continues.

I thank the hon. Gentleman for his remarks about the scale of the problem, although that must be obvious to everyone. I thank him, too, for his kind words for those fighting the disease in the field—the civilian and military officials who are bearing down on the terrible outbreak.

The hon. Gentleman asked a range of questions, and I shall try to do justice to all of them. I do not think it right to try to turn this matter into a party political issue. The political climate is highly charged at present, but we are discussing a disease outbreak in livestock. The techniques for dealing with it are well understood, and we should be able to discuss the matter in terms of disease control rather than those of party politics.

Let me give the hon. Gentleman the factual answers to his points. There are two types of welfare scheme. There are three welfare livestock movement schemes, and about 90 per cent. of more than 48,000 applications submitted have been approved. On average, movement licences are being processed and issued in less than three and a half days from the date of receipt.

On the livestock welfare disposal scheme—a more vexed matter—4,600 farmers have entered 1.6 million animals for that. That is an enormous number of animals, and, to date, only 48,000 have been slaughtered. The 22 abattoirs dedicated to the scheme have the capacity to slaughter around 280,000 sheep, 60,000 pigs and 25,000 cattle each week. Some 230,000 animals are scheduled to be slaughtered over the next few days, and the scheme is being got up and running.

The hon. Gentleman asked about statistics. I shall not repeat our exchange of last Thursday, but we are trying to put together a comparable series of figures. I do not think that he can charge me with publishing "good news figures": I gave the House the facts as frankly as I could in my statement. This terrible outbreak is not "good news". We are doing all that we can to bear down on it, and that should unite the House rather than being a cause of division.

The hon. Gentleman referred to the contiguous cull. He understands as well as I do why that raises difficult issues for individual farmers. He urged us to get on with it and to cull out dangerous contacts within the 48-hour time frame that we set ourselves. I took it from that that he

supported our policy, but he went on to ask about vaccination. He was right to say that the arguments on that are not all one way. Am I to assume, however, that he was advocating a policy of vaccination? Was he urging that on us, or was he simply setting it out as an alternative?

The Government's policy is clear: as I said in my statement, we keep vaccination under review, but I shall not move to a vaccination policy without considering all the issues involved, including several difficult ones that we have discussed before. Incidentally, the hon. Gentleman did not say whether the Conservative party takes the view that vaccinated animals should be culled out afterwards or should live on. Was he advocating a firebreak vaccination policy, or was he trying to dampen down the disease? Those questions must be answered before a strategy is embarked on, not afterwards.

The hon. Gentleman asked about stocks of vaccine and contingency arrangements. Yes, we have adequate stocks, as I have told the House on previous occasions; and, yes, contingency arrangements are in place, explicitly relating to the outbreak in Cumbria, where the disease is at its most intense. He asked about the number of slaughterers working: the figure for Great Britain is 457.

The hon. Gentleman referred to suggestions from the Conservative party that we should have acted sooner on a range of things. On 11 March, he first suggested that we should bring in the Army; but, in fact, Baroness Hayman had written to the Minister for the Armed Forces on 9 March, requesting a range of logistical support. On 15 March, the hon. Gentleman suggested that we commence on-farm burial; in fact, on-farm burial was first used on 2 March. On 13 March, he suggested that veterinarians should be able to authorise immediate slaughter; in fact, that had been MAFF policy since 22 February—more than 95 per cent. of cases are confirmed on that basis.

Finally, the hon. Gentleman referred to agrimonetary compensation and asked me to confirm that it is paid out on the basis of currency movements rather than compensation for foot and mouth disease. That is true, but it should be remembered that the previous Conservative Government did not pay out a penny of agrimonetary compensation. It was the foot and mouth disease outbreak in this country that informed our decision to draw down the agrimonetary compensation, in order to get aid swiftly to hard-pressed livestock farmers. Moreover, we have negotiated arrangements with the European Union for the payments to be made early.

Mr. Lawrie Quinn (Scarborough and Whitby): My right hon. Friend will know that, on Friday, an outbreak was confirmed at Ashes farm in Ruswarp near Whitby. I congratulate all those who so swiftly tried to nip the problem in the bud effectively. Obviously, the tragedy is that contiguous damage has occurred to livestock, but, given the sense of partnership and the mood in our local community, the lack of bipartisan agreement in the House this afternoon would be found offensive. People in Whitby who have worked with me and people in the NFU office in Whitby who have worked so hard to help people get through the difficult decisions that have been needed will find that lack of agreement most offensive.

As my right hon. Friend knows, the farm is close to the North York Moors national park. The big fear in the minds of many farmers—many of my constituents—is the impact of the problem on hefted flocks. Will he assure my constituents and the House that there are contingency plans to try to prevent the spread of this terrible disease on to the moors, where it would cause far more damage than it has done so far?

Mr. Brown: My hon. Friend is right to draw attention to the heroic efforts that are being made in the farming community, and in rural communities more broadly, to work with the Government and especially local officials to bring this disease outbreak to a conclusion. He is also right to draw attention to the particular issues and set of problems that confront us in dealing with the outbreak as it affects hefted flocks and moorlands. The issue is important in the area that my hon. Friend represents, on Hexham moor in Cumbria and indeed in the south-west as well. The Government are looking at what can be done to try to contain the disease in the very special circumstances of hefted flocks on moors without having to cull out all the animals on the moorlands.

Mr. Colin Breed (South-East Cornwall): I, too, thank the Minister for providing us with a copy of his statement a few moments before the debate. I also associate the Liberal Democrats with the words of congratulation and thanks for all those who are working in the field in a demanding and often distressing job.

May I turn to a few practical issues on which, I am sure, many hon. Members have been approached by farmers in their constituencies? On 26 February, I first raised the issue of cattle going beyond the over-30-months limit. What compensation will be offered to those farmers? For those who cannot move their animals and who are now facing horrendous animal welfare problems, will the Minister increase resources to the Intervention Board? That seems to be one of the main problems in clearing the whole issue.

There is a significant backlog; farmers cannot get through; and applications for the animal welfare disposal scheme simply cannot be made.

Will right hon. Gentleman speed up the processing of movement licences for those in unaffected areas, where farmers have waited, sometimes for weeks, to get licences, despite having agreed the sale of their animals with others in unaffected areas? Will he also consider allowing farmers to reclaim the costs of vets' visits, which many of them are now finding very onerous? Those vets' visits are absolutely necessary because of the current FMD outbreak.

Finally, on a more local issue, will the Minister now undertake to instruct the Highways Agency to lay disinfectant matting on the Tamar bridge? He will know that that is a major issue in Cornwall, which is relatively free of the disease, but which is, of course, right next to Devon, which has a significant hot spot. Many farmers and many members of the public simply cannot understand why disinfectant matting cannot be laid on the bridge to provide at least some protection for the farms in south-east Cornwall.

Mr. Brown: I cannot give an instruction to the Highways Agency. [HON. MEMBERS: "Why not?"] I cannot

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do so because the Highways Agency does not come under the Ministry of Agriculture, Fisheries and Food—as, no doubt, most hon. Members will have spotted.

Mr. Michael Fabricant (Lichfield): It should.

Mr. Brown: I thank the hon. Gentleman for arguing for that extension of my Ministry's powers.

I am advised that the issue of disinfected mats is rather more symbolic than real—that is the professional advice to the Government collectively—nor can I give the hon. Gentleman any comfort on the recovery of the costs of private sector veterinary visits. On movement licences, which he perfectly properly mentions, the best way forward for those in the unaffected areas is to work towards relaxing the movement controls in the disease-free areas, so that movements from farm to slaughterhouse are more easily facilitated. That is the right policy approach, but I cannot yet make an announcement. As soon as veterinarians advise me that it is safe to do so, of course I will.

On the hon. Gentleman's remarks about the welfare disposal scheme, he is of course right. As I said in reply to the hon. Member for South Suffolk (Mr. Yeo), the scheme has turned out to be very popular. About 1.6 million animals have been offered to the scheme, so extra resources are required to administer it, and extra resources are being moved in. We keep the scheme for over-30-month cattle under review, but I have nothing new to say about that today.

Dr. Jack Cunningham (Copeland): May I ask my right hon. Friend to ignore the lectures from the Conservative party, whose record on BSE and other animal health and welfare issues was so abysmal? It ill becomes Conservative Members to come to the House in that mood and with those attitudes in the current circumstances.

I thank my right hon. Friend and his officials for being so helpful in dealing with the animal welfare problems among breeding flocks on the western fells of the Lake district in my constituency. Is he aware, however, that agriculture and tourism are inextricably linked in the Lake district hills and dales, so the Cumbrian economy is grievously damaged by the unprecedented crisis in agriculture? Is it not time urgently to provide a package of measures specifically to help the Cumbrian economy to weather the storm? Is it not also time for the Government, or—dare I say it?—the Treasury to be flexible, imaginative and generous in these unprecedented circumstances?

Mr. Brown: I have as much sympathy as I am allowed to have with what my right hon. Friend has said. He is absolutely right to refer to the inextricable links between tourism and agriculture in Cumbria, and I am pleased that the Ministry has been helpful in dealing with one of a series of difficult issues on the fells in his constituency. He is also right to tell me to be very careful about where I take advice.

Mr. Tony Baldry (Banbury): What would the Minister say to my constituent, Mrs. Wilcox of Grove farm, Bletchingdon, which is the parish that is almost next door to Chesterton, where we had an outbreak of foot and mouth some weeks ago? Mrs. Wilcox has 1,000 outdoor sows, producing 500 piglets a week, and she now has 3,000 piglets in temporary straw huts that are flooded because of the exceptionally heavy rain that we have had in Oxfordshire. She requested a welfare cull weeks ago and, although I will not take the Minister through it, there has been a saga of her sending information to MAFF, her vet sending information to MAFF and MAFF saying that it has lost the paperwork and the vet's letters. She got in touch with MAFF on Friday, only to be told that the Ministry had lost all her papers.

Mrs. Wilcox was on the telephone to my office today, almost in tears. The accommodation for her thousands of piglets is bursting at the seams, so what will the Ministry do about such cases? She says that she, the NFU and the National Pig Association cannot get through to anyone on the telephone; but we must have a system so that farmers such as Mrs. Wilcox can have help with their crucial welfare culls.

Mr. Brown: I will ask my private office to take up the constituency case that the hon. Gentleman perfectly rightly raises. Clearly, I cannot give him a response to an individual case across the Dispatch Box, but I will have it examined. He will understand how difficult the foot and mouth outbreak is for the pig sector—fortunately it has not got a hold in areas where pig farming is predominant—and there are two reasons for that. First, the disease is incredibly infectious in pigs and they multiply the virus very quickly. Secondly, as he knows, because of the stratified nature of the industry, movement restrictions can cause welfare problems very quickly. The hon. Gentleman has nevertheless asked me to deal with that issue, and I will get my private office to consider it.

Mr. Eric Martlew (Carlisle): I thank my right hon. Friend for the statement. May I reinforce the point made by my right hon. Friend the Member for Copeland (Dr. Cunningham)? We need a financial package for Cumbria, which is in the thick of the outbreak and where there is severe financial hardship in some areas. We are getting on with the job in a bipartisan manner without the splits that have appeared here today.

I have two questions for my right hon. Friend. First, now that MAFF owns the lease on the Great Orton aerodrome, which is the mass burial ground for many animals, will he ensure that public health in that area will be looked after not only today and next week but in the many years to come? Secondly, the NFU would like to keep cattle in their sheds—and not turn them out to grass—for one, two or three weeks more. That will cost money; I understand that it is estimated that it would cost £2 million to keep them inside until the end of this month. Will my right hon. Friend consider ways of funding that?

Mr. Brown: On my hon. Friend's second point, my hon. Friend the Parliamentary Secretary is considering a feedstuff strategy for the infected areas where we believe the disease will be borne down on best by keeping cattle housed for longer than they normally would be. He is considering how we can facilitate that.

On my hon. Friend's question about the aerodrome lease, the disposal site and the public health issues, I can give the assurance that he seeks. As I understand it, there are no public health risks, but it is right that we should not just reassure ourselves about that but explain the

reasons to local people. We will ensure that the site continues to be monitored, and I will put such work in place.

Mr. Robert Key (Salisbury): Today and tomorrow in my constituency, 3,500 pigs and sheep will be killed. None of them is infected, but they are suffering from animal welfare problems and movement restrictions. Is it too late to provide more flexibility to local vets—they are in the best position to make judgments particularly about the movement of stock over short distances—instead of freezing everything until welfare becomes such a serious problem that it results in the death of many innocent animals?

Mr. Brown: I do not quarrel with the underlying thrust of the hon. Gentleman's question. I am trying to free up the movement restrictions so that we can facilitate the normal workings of the trade. I think we all agree that that is the best way forward. However, I can do that only in a way that is compatible with the veterinary advice on disease control that is available to me. As soon as I can do what the hon. Gentleman asks, I assure him that I will.

Mr. John McFall (Dumbarton): I remind the Minister that some areas are not co-operating fully. On the west highland way, which passes through my constituency and attracts more than 1 million visitors every year, landowners are reverting to type and using the foot and mouth crisis to deny people access to it. Will he remind such individuals to put agriculture in perspective? It provides 0.8 per cent. of employment in the country and 1.8 per cent. of gross domestic product. Tourism is the jewel in our crown and we need full co-operation from the farming and agricultural communities.

Mr. Brown: Many matters are devolved and not my responsibility. Nevertheless, my hon. Friend makes a powerful point: tourism is an incredibly important industry in northern Scotland, where there is no foot and mouth disease.

Mr. John Burnett (Torridge and West Devon): Last Saturday, I attended a public meeting in my constituency on the Ministry's proposals for a burial site in the parish of Petrockstowe. My constituents will stand shoulder to shoulder in solidarity with farmers because they understand that hundreds of thousands of carcases cannot lie on adjoining farms for days and weeks on end. However, the problem is gaining access to the site. The choice, which is devastating the village, is to drive through its narrow lanes—or, alternatively, to use the main road via the clayworks. I believe that the owners of the clay company are using this dire crisis to blackmail the Government and my constituents in an endeavour to secure extortionate terms. Will the Minister immediately exercise emergency powers to ensure that the right of way will go through the clayworks to the burial site, not through the village or its narrow lanes, which are utterly unsuitable?

Mr. Brown: Because the hon. Gentleman asked me to, I have considered the problem. As I understand it, there are three possible routes of access: through the village, off the main road or through the clayworks. He is right to say that the private sector owns the clayworks and is denying the Government access. It is an intractable problem. I have every sympathy with him—

Mr. Burnett: Use emergency powers.

Mr. Brown: I do not have emergency powers to seize property owned by the private sector, as opposed to the Government. However, I shall do what I can to resolve the issue, to which I have given careful consideration.

Mr. Tom Levitt (High Peak): My right hon. Friend will know that last week the Peak district national park had its first suspected outbreak. That was investigated by vets almost a week ago and it has still not been confirmed. Nothing has been done on the contiguous farms. Clearly, when the rest of the Peak district economy is starting to bottom out and improve, it is important that we know as quickly as possible not only if the case is confirmed, but how the exceptionally isolated incident occurred.

Mr. Brown: We need to be careful collèctively in dealing with predicted sporadic outbreaks. What we cannôt predict is where they will occur. Initial testing shows that the holding in my hon. Friend's constituency is clear of the disease. However, it may be too early to give a final confirmation of that. Like everyone else, I hope that it is clear.

Mr. Edward Leigh (Gainsborough): On a serious problem that might affect arable areas, Stevadore and a grain merchant company have told me that the market in the export of grain has collapsed. There is no official embargo, but privately, people abroad have decided not to buy British grain. Will the Minister take the opportunity to make a firm statement that there is no possibility of grain being a vector of foot and mouth and that no one need be concerned about British grain? Will he do his utmost to ensure that our European partners make that clear on the continent? If the export of grain is collapsing, that could have devastating economic consequences in the eastern regions. Will he consider providing compensation for that?

Mr. Brown: I am familiar with one incident, which I hope is isolated, in which there was an argument about a grain shipment which was based on misapprehensions about foot and mouth disease. Grain is not a means of conveying the virus.

Mr. Lindsay Hoyle (Chorley): I know that my right hon. Friend is aware of the case in south Lancashire, in my constituency. It is now almost seven weeks since it was identified, and poultry, pig, beef and sheep farming in the area faces severe welfare problems. What help can my right hon. Friend give? Can we lift the section D notices and allow the movement of animals as soon as possible, or can we ensure that the Intervention Board works more speedily? I know that it is in a period of crisis management because of the number of cases that it is dealing with, but something must be done to ease the plight of farmers in Chorley. I cannot stress enough the importance of that or of the scale of the tragedy that they face. It is not in the interests of the House that it should

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attempt to make political gain out of the farming crisis; that is wrong, and the House will not have credibility as long as it is allowed to happen.

Mr. Brown: I must say that I agree with all three points made by my hon. Friend. The credibility of the House is best served when we are seen to debate, in a politically non-partisan way—*[Interruption]*—the great issues that confront our country.

Mr. Damian Green (Ashford): What about BSE?

Mr. Brown: The hon. Gentleman shouts away, but he might just consider how I dealt with the Phillips report in the House. I took great care not to be party political, and I wonder whether it would have been the same if we had been in opposition and the Conservative party had been in government.

On the points made by my hon. Friend, I am allocating extra resources to the Intervention Board. He can assure his constituents that as soon as veterinary advice enables me to lift movement restrictions, even partially, I will do so.

Mr. Geoffrey Clifton-Brown (Cotswold): The crisis has been going on for at least seven weeks, and the number of animals slaughtered in that time is dwarfed by the number on the welfare scheme, so it will take longer than seven weeks to put that scheme into effect. Will the Minister therefore consider allocating extra resources to get the scheme up and running, and indeed completed? Will he consider also clearing licences for animals that require them and that could go to slaughter in the zones that are not affected by the disease? That would help to ease the welfare problem.

Mr. Brown: At the moment, I cannot relax the licensing scheme even in the controlled areas, but as I have just told my hon. Friend the Member for Chorley (Mr. Hoyle), as soon as it is possible to relax restrictions, which would have to be done on veterinary advice, I will of course do so. I am considering how practical it is to allow movement of livestock that are trapped in the infected areas to go to abattoirs in those areas and then on through the food chain. That may be possible. Of course, the priority must be to control the disease, and movement controls are vital to its extermination.

Ms Candy Atherton (Falmouth and Camborne): Will my right hon. Friend join me in congratulating Cornwall county council, local MAFF officials and the National Farmers Union on today opening up sections of the Cornish coastal path? Does he agree that the news, along with the opening of the Eden project and the fact that many of our gardens and all our beaches are open, means that there is much to attract visitors to Cornwall this Easter?

Mr. Brown: My hon. Friend is absolutely right, and I congratulate local officials, public sector employees, local government and the local NFU on working together for the benefit of Cornwall, and on giving the clear impression that agriculture and tourism go hand in hand and can work together.

Mrs. Ann Winterton (Congleton): What advice has the Minister received from his officials or others about the nature of the outbreak compared with 1967? Why do they believe that the contiguous cull is necessary, especially where cattle are still being wintered in? The Minister will recall that in the 1967 outbreak the disease skipped farms and areas, and there was no rhyme nor reason to it. Secondly, will he confirm that until the House passes an order, the contiguous cull is voluntary and is illegal otherwise?

Mr. Brown: If animals are dangerous contacts and deemed so by the veterinary authorities, the cull is not voluntary; it is mandatory. If farmers are in the controlled zone but outside any other 3 km zone, and if they voluntarily give up their animals for a firebreak policy, as is happening in southern Cumbria, that is voluntary and not mandatory. However, the Government have the power to slaughter any animal that is deemed on veterinary advice a dangerous contact and at risk of carrying infectivity. It is not necessary for the clinical signs of the disease to be apparent, as a matter of veterinary judgment.

On the comparisons between the 1967 outbreak and the present one, I went into that issue in some detail in my previous address to the House. The two outbreaks are not directly comparable. There are various features now that are different from what happened then. The two most important are the fact that, in 1967, there was not the rapid movement of animals around the country that there is now—there was not the highway infrastructure. Also, as the hon. Lady well knows, the 1967 outbreak was predominantly in cattle and pigs and in the midland belt of England, including her constituency, whereas the outbreak now is predominantly in sheep and predominantly a phenomenon of the western part of Great Britain, with hot spots particularly in lowland Scotland, Cumbria and Devon.

Mr. Huw Edwards (Monmouth): There are now 14 outbreaks of foot and mouth in Monmouthshire and the situation is extremely grave. I was speaking to farmers in the Chepstow area this morning, where it has been particularly serious. The 48-hour contiguous cull has far from been reached in that area, despite discussions that took place when my right hon. Friend the Prime Minister attended my constituency last Tuesday. We were assured by the Assembly Minister, Carwyn Jones, that there would be liaison officers in Monmouthshire in a day or two, but I am not aware that they have yet been appointed. I also point out to my right hon. Friend the concern of farmers in areas which border England. There may be an outbreak, say, in Herefordshire, but there may be contiguous farms in Monmouthshire. Who is responsible for notifying those farmers?

Mr. Brown: The contiguous farm policy applies even across borders pertaining to the responsibilities of different Ministers. I had an opportunity to discuss some of the issues with the Agriculture Minister for Wales this morning, and with leaders of the farmers unions in Wales, as well. We are all working together for a common purpose, but I will draw my hon. Friend's specific remarks to the attention of the Welsh Agriculture Minister.

Mr. Steve Webb (Northavon): The Minister will understand that farmers whose animals have had foot and mouth infections and who want to stay in the business are putting aside the compensation payments that they have

received to restock after the crisis is over. Given the limited entitlement to social security benefits for people who are in businesses that are making no money, can the Minister advise them of what they are meant to live on?

Mr. Brown: I have set out the support payments available to farmers in those circumstances, and I understand that the social security arrangements, where they obtain, have been carefully set out. The big decision for farmers who have received a compensation payment is whether to restock the farm holding or renew any tenancy arrangements that may have been interrupted, or whether to pause and think very carefully about what the future holds for them.

There is a serious discussion still to be had with the industry about the shape of support payments and in particular the future support arrangements for the sheep regime. The hon. Gentleman is familiar with some of the issues involved—the hill farm allowance, the sheep premium regime in the European Union, how far we are to make use of the second pillar of the rural development regulation, and how far we should advance our plans for genotyping the national flock to make it more scrapie resistant. These are all issues to be discussed with the industry, but our first priority must be to defeat the disease.

Ms Sally Keeble (Northampton, North): I welcome my right hon. Friend's statement about his plans for easing restrictions in some areas. Is he aware that the NFU in Northamptonshire is keen for restrictions to be eased locally, especially in view of the size of the area to which they apply and the length of time that has passed since the case that we had? Can he say a little more about the areas in which he is considering easing the restrictions, and about the timetabling of the decision, so that my farmers know roughly when they can expect some movement in that respect?

Mr. Brown: I cannot set a clearer timetable than the one I set out in my statement, because all these matters depend on veterinary advice. It is the areas where earlier outbreaks occurred—especially those in the east of the country—that seem to be early candidates for the lifting of movement restrictions and the return to more normal trade. I have under active consideration the question of whether it will be possible to do something further with the areas that have remained disease free throughout the outbreak, including East Anglia, the north of Scotland and west Wales. However, it would be dangerous to set a timetable for what is, after all, a biological phenomenon. I am advised that unexpected outbreaks are still likely to occur. By far the best thing we can do is to bear down quickly on such outbreaks and cull out the infected animals and contiguous premises.

Miss Anne McIntosh (Vale of York): Will the Minister now respond to the requests that I made some two or three weeks ago and consider vaccination at least in respect of rare and pedigree breeds in this country? Such breeds are priceless and can never be revived. Will he also look favourably on a request that was made by a number of farmers regarding the 30 mile exclusion zone that extends from Hawes? The affected area is much wider than the recommended 10 km zone.

Mr. Brown: I asked representatives of the National Sheep Association this morning whether they believed that vaccination would play any part in a rare breed survival strategy. Their answer was an emphatic no. It is not that I have not thought about the issue or that I do not have it under consideration—I can assure the hon. Lady that I do. However, there are very strong arguments against the use of vaccination even in trying to protect rare breeds. The people who care for the industry most and who know it best are firmly opposed to the use of a vaccination strategy, but we are considering other things that we can do to protect rare breeds, including the preservation of genetic material.

Mr. Win Griffiths (Bridgend): Although it is gratifying that the number of new cases seems to be falling daily, the evidence of the past few days, which shows that the spread of the disease extends well beyond the areas where most of it has been found before, is extremely worrying. For example, a case recently arose in south Wales, in Nelson, near Caerphilly. Will my right hon. Friend tell me whether the investigations of the National Assembly for Wales, MAFF or the Scottish Parliament have produced any ideas about whether such outbreaks are caused by airborne factors, careless movement of vehicles on farm-related business, or unauthorised movements? Also, what is being done to try to get up to speed on culling in contiguous areas?

Mr. Brown: My hon. Friend is right that more needs to be done to ensure that the culling out of contiguous premises is achieved within our target range of 48 hours. As to the cause of sporadic outbreaks, more work still needs to be done, but it seems that they are caused by farm-to-farm transmission.

Sir Patrick Cormack (South Staffordshire): Is the right hon. Gentleman aware that many of us who attended the presentation that he kindly arranged last week came away feeling that there will be no future for hefted sheep or moorland animals unless he accepts a policy of vaccination very soon? Does he accept that many farmers in my constituency and elsewhere feel that, despite all his good intentions, which are not in dispute, there is a lack of co-ordination and clarity, and no central direction? His answer to the question asked by the hon. Member for South–East Cornwall (Mr. Breed) about disinfectant on the Tamar bridge illustrated that point. Who precisely is in charge? Who can take the decisions and lead the national fight against this national scourge?

Mr. Brown: On the Tamar bridge, the advice that is available to the Government suggests that the disinfected mats are of only marginal utility. Of course, the objection to them is that they might do more harm than good. On the broader question of hefted sheep on moorlands, and in Cumbria in particular, there are several strategies for saving them, including vaccination. I have not ruled the latter out, but there are several other approaches, including containment and testing of animals to see precisely where the disease is. Let me make it absolutely clear that I am not for the gratuitous culling of animals. It may be possible to deal with the problem just by containing it.

Mr. James Plaskitt (Warwick and Leamington): Farmers in Warwickshire to whom I spoke today are anxious for a speeding up of the slaughter rate under the

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welfare scheme. Can my right hon. Friend say more about the additional resources that he can provide for the purpose?

May I introduce a word of bipartisan encouragement? Mr. Philip Bushill-Matthews recently wrote in my local newspaper an article that begins by congratulating the Government on their handling of the foot and mouth outbreak. He is the Conservative MEP for the West Midlands.

Mr. Brown: I am grateful for that bipartisan support. As for speeding up the slaughter element of the welfare scheme, we are bringing onstream sufficient capacity to take out around a quarter of a million animals a week, and some 230,000 are lined up for slaughter in the next few days.

Mr. Nick Harvey (North Devon): May I urge the Minister to devote more resources to the clearance of carcases in Devon? Now that more progress is being made with the cull, carcases are literally piling up and typically not being moved for seven, eight or even nine days. What advice does the Minister suggest I give to constituents who are complaining about the effluent from carcases running into duck lakes or past their front doors, about carcases piled up on the school bus route and even about carcases between two caravan parks, which, obviously, are causing a serious odour problem?

Is the Minister aware that his officials in Exeter say that a lack of trucks to move the carcases is one of the problems? Can he do something about that? Farmers are threatening to turn up and deliver the carcases to the Ministry if the trucks do not collect them.

Mr. Brown: A lack of sealed trucks suitable for moving the animals to disposal sites is part of the problem, but at the heart of it has been the difficulty of finding a suitable disposal route, or series of disposal routes, in Devon. That has been an intractable problem throughout Great Britain while we have been dealing with the outbreak, but it has proved particularly difficult in Devon for a range of local reasons. I am sure that the hon. Gentleman is familiar with all those reasons, and merely stating them will not, of course, solve the problem. As was demonstrated by the discussion that I just had with his hon. Friend the Member for Torridge and West Devon (Mr. Burnett), it is very difficult to find disposal routes in the west country that are acceptable to the Environment Agency and also to local people. However, we are doing our best and we believe that we now have suitable disposal sites.

Mr. Gordon Prentice (Pendle): Does it not beggar belief that there should be any unauthorised movements at all? Seven weeks into this contagion, there are still farmers out there moving livestock that can contaminate healthy beasts. Has the Minister made any estimate of the number of unauthorised movements? If we track down those irresponsible farmers, what sanctions can we use against them?

Mr. Brown: Those who break the law will be prosecuted, and prosecutions are pending. I cannot give an estimate of illegal activity, but let me say this: the overwhelming majority of farmers who have been hit by this terrible disease outbreak have behaved not just responsibly but very bravely, in the most adverse circumstances. I pay tribute to the law-abiding majority, who are working hand in hand with the Government to bear down on the disease.

Mr. David Curry (Skipton and Ripon): Does the Minister accept that one way of fighting the disease is for the Opposition parties to do what they are there for—to hold the Government to account and ask questions? If they do not, government will be worse than it would be otherwise.

Does the Minister also accept that the debate on vaccination will not go away until he sets out clear criteria against which we can judge whether the circumstances have indeed arrived in which vaccination can be resorted to, or ought to be resorted to? At present, it is being floated almost as an abstract concept. Until we know how the Minister will reach such a conclusion and in what circumstances, he will become increasingly frustrated by our questions and we shall become increasingly frustrated by his answers.

Mr. Brown: I have no quarrel with the first part of the right hon. Gentleman's question. As for the second, more targeted part about vaccination, there is a range of ways in which a vaccination strategy might be used. They all have their difficulties as well as their claimed benefits. The matter has been much discussed in public; moreover, I arranged a presentation on the issues yesterday and was pleased to observe a good attendance on the part of Members on both sides of the House. I look forward to giving evidence on the question of vaccination to the Select Committee, when the Select Committee is ready to receive me.

Mr. Tony McWalter (Hemel Hempstead): As a Hertfordshire Member, a county where the disease has not yet occurred, may I ask whether my right hon. Friend is aware of the remarks of the hon. Member for South–West Hertfordshire (Mr. Page) that to have a burial site in Hertfordshire would be "reckless"? Will my right hon. Friend take my assurance that I believe that the county should do everything that it can to play its role in helping to deal with a national crisis? Furthermore, will he assure me that there will be no limitation on movements and no other dangers involved in the policy, which I have broadly welcomed?

Mr. Brown: I am grateful to my hon. Friend for what he has said. I understand that it is the Opposition's policy to advocate the burial of carcases rather than on-site burning to dispose of them. I may be wrong, and perhaps there is a different policy for Hertfordshire.

Mr. Owen Paterson (North Shropshire): The Minister's policy of taking potentially risky carcases across safe areas to sites where a huge pyre will be built to burn them has been much criticised by experienced vets of 1967, and runs counter to the recommendations set out in the 1969 report. The situation has been made worse by the muddle in deciding who accepts that the site is right. Sites in my constituency have been approved by the Environment Agency, but have been the subject of massive disapproval from everyone else. Other sites have been approved by

other agencies but blocked by the Environment Agency. Who decides? Is it MAFF, the Army or the Environment Agency? Will the right hon. Gentleman let me know? Some of my constituents, such as the Arrowsmiths, have had rotting carcases on their farms for six days.

Mr. Brown: I read in the newspapers over the weekend that the hon. Gentleman thought that foot and mouth had been caused by an escaped virus from Porton Down, or a stolen virus. If he really believed that, he would have asked me about it, rather than drawing my attention to quarrels about landfill and burial sites. There will always be such quarrels. Whether it is safe environmentally to use them is, of course, a matter for the professional views of those at the Environment Agency. It is not clever to drop a lot of dead animals in the water supply. We must take these environmental considerations into account. We must take into account also the views of local people, who may agree with burial or landfill as a general proposition, but become much more sceptical about it if it is to be done near where they live.

Mr. Ben Bradshaw (Exeter): Is the Minister aware that his Department's guidance—urging the reopening of some public footpaths—is being ignored by a number of county councils, thereby delivering a further and entirely avoidable blow to the tourism industry in the run-up to Easter? Will he confirm that there has never been a case of foot and mouth being spread by a walker?

Mr. Brown: There are always uncertainties about the way in which foot and mouth disease is spread. It happens mostly by animal-to-animal contact or by farm-to-farm spread. Although I do not know of a case of a walker having spread foot and mouth disease, I cannot say definitively that it has never happened. However, all these issues must be dealt with in a sensitive and proportionate way. My advice remains the same: that those who enjoy the countryside should stay away from farmed livestock, but otherwise enjoy the countryside; the countryside is not closed.

Mr. David Tredinnick (Bosworth): Does the Minister accept that it is not only in Banbury where there are problems with the welfare disposal scheme? In Leicestershire, farmers have been quoted three weeks to a month. There are piglets trying to eat other piglets. The situation is desperate. If the right hon. Gentleman is to solve the problem, he will have to introduce a massive increase in resources now—he might have to bring in the Army—otherwise, he will never cope with the problem.

Is the right hon. Gentleman aware that the contiguous slaughter in Leicestershire is running at 120 hours and not 48? When, finally, will he answer my questions about homeopathic borax, which has been shown in previous outbreaks to go a long way towards preventing animals from getting foot and mouth disease? Why will he not at least set in motion a trial? I have raised the matter with him on several occasions. I have tabled written questions and I have raised the matter with the Prime Minister. When will we get an answer? When will chemists get some instructions?

Mr. Brown: On the hon. Gentleman's final point, I concede that he is due an apology from me. He has asked twice about the use of borax as an alternative therapy. That is a matter of professional judgment, but I have promised him a reply twice and he has not yet received one. He should have done so before now, and I shall ensure that he receives a reply.

On the welfare disposal scheme, I have explained the substantial demand and the need for extra resources to ensure that it carries out its functions. We are also prioritising work by trying to deal with the hardest cases first. The hon. Gentleman is right to draw attention to the stratified nature of the modern pig industry and the welfare problems that movement restrictions quickly create. I shall draw the constituency case that he raised to my officials' attention and ascertain whether I can get something done about it.

Mrs. Linda Gilroy (Plymouth, Sutton): I think that my right hon. Friend understands that the tourism industry as well as agriculture is greatly affected in Devon as well as in Cumbria. Like my right hon. Friend the Member for Copeland (Dr. Cunningham) and others, I ask him to urge his colleagues to make available an appropriate package of assistance.

On a visit by the Paymaster General at the weekend, it became clear in discussions with Mr. David Beardsley, the secretary of the Federation of Small Businesses for Devon, that we need enough good-quality business advisers on the ground to assist people who are taking the difficult business decisions that hon. Members have mentioned to make sensible decisions and to know what is already available. That was more than the people to whom we spoke realised.

Mr. Brown: As my hon. Friend knows, I am passionately committed to business advice for those whose farm-based businesses are in transition. I secured moneys last year specifically for helping smaller farmers through the period of transition. The scheme is available to all farmers, and I have managed to carry the underspend on that budget into this financial year. Clearly, the special case that can be made for Cumbria and the west country means that they will be treated as priorities when resources are allocated.

Moreover, I promise to draw my hon. Friend's remarks to the attention of my right hon. Friend the Minister for the Environment, who is considering those issues more generally.

Several hon. Members *rose—*

Mr. Speaker: Order. Today is the last opportunity for the Minister to come to the House before the recess. I want to call every hon. Member, but I need the assistance of those who wish to speak. Questions must be brief so that I can call every hon. Member.

Mr. Tom King (Bridgwater): Obviously, the sympathy and understanding of the tourism industry are crucial if we are to crack the problem of foot and mouth. What has happened to the taskforce? The Chief Secretary is present. Will we have a statement about the taskforce's proposals before the House rises? An announcement about the small firms loan guarantee scheme will not begin to tackle the scale of the problems. People believed that they faced a problem that would last three to six weeks. Those in the tourism sector realise that this year is almost a write-off

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for them. The question for some facilities is not whether the countryside is open for business but whether they will ever be open again.

Mr. Brown: The question goes slightly wider than my ministerial responsibilities, but I shall draw it to the attention of my right hon. Friend the Minister for the Environment, who chairs the taskforce. I understand that there will be no statement before the House rises; I accept that that is no comfort to the right hon. Gentleman and I shall try to provide a fuller reply that is.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend agree that, in times of crisis, it is important for the Government to have a surplus, not a deficit? Do farmers who receive the compensation ever thank him for the fact that the Labour Government have a surplus in their budget, not a deficit like that lot opposite? Do they tell him that they will vote Labour this time, instead of voting for that lot who left them not only in the lurch but with BSE?

Mr. Brown: Those points are often made to me, but in private.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Minister understands that the recent outbreak is a devastating blow to livestock producers in south-east Scotland. The borders is one of the principal world centres for breeding sheep, especially Cheviots. Will the Minister re-examine the position whereby local vets have discretion about the 3 km cull? Everyone understands that, if there is a suspected case on a farm, slaughter is the only option in the infected place and on the contiguous farms. However, mass prosecution of a 3 km cull dictated by MAFF in London without proper reference to local vets could decimate the local economy and the sheep industry in south-east Scotland.

Mr. Brown: Administration of those matters is devolved to the Scottish Parliament. It is a matter for the Scottish Minister rather than me, although we all receive the same professional advice. I do not want to go further because there is local discretion and it is up to the Scottish Minister with responsibility for agriculture how that is exercised.

Mr. Douglas Hogg (Sleaford and North Hykeham): Where do we stand now in terms of collection centres? The Minister will know that, for the small producer, sending small loads to an abattoir is pretty uneconomic. A collection centre would be much more practical for that person.

Mr. Brown: The point that the right hon. and learned Gentleman makes is absolutely correct. As he will recall, at the beginning of the outbreak, I had hoped that it would be possible to set up collection centres specifically to help smaller farmers to assemble sufficient batches to go in commercially attractive groups into the abattoir and the food chain. So far, it has not been possible to do that, but, as soon as it is possible to bring such a system into play, I would like to do so.

Mr. Michael Howard (Folkestone and Hythe): Is the Minister aware that, last week, the leader of Kent county council, in an attempt to explore the possibility of reopening footpaths in Kent, asked the Minister for the Environment how an area might be moved from the "at risk" category to the "provisionally free" category? He was told to ask MAFF. The next day, he asked MAFF and he was told to ask the Department of the Environment, Transport and the Regions. Does that not epitomise the way in which the crisis has been mishandled by the Government?

Mr. Brown: I suspect that there is more to the story than that. In any event, I hope that the right hon. and learned Gentleman and I can travel the same journey together in steadily liberalising the regime in east Kent.

Mr. Michael Fabricant (Lichfield): Has the Ministry any guidelines on the siting of cremation pyres? May I draw to the Minister's attention the problem that I have in my constituency? A cremation pyre is being built in Hood lane, near Longdon in Staffordshire, within 200 yards of a village. Does he accept that, whatever the reality of the toxicity of the smoke, people are very concerned about the smells and the dirt? There are a number of people with asthma, emphysema and other breathing problems. Is there any way that the pyre can be moved before it is ignited tomorrow morning?

Mr. Brown: I do not want to intervene in the local decision-making process. There are consultations and a range of different factors is taken into account, including the wishes of local people. These are not very popular neighbours, yet it is essential to dispose of the carcases. I am afraid that I can give the hon. Gentleman no more satisfaction than that.

Mr. Simon Thomas (Ceredigion): May I share with the Minister the increasing sense of despair among many farmers in my constituency? Silage is running out; access to summer pastures is denied; and there is a real problem with the Intervention Board. There was also a problem with licensing from restricted areas to non-restricted areas; I accept the Minister's figures on licensing without restricted areas. Will he set targets for the welfare-to-slaughter scheme, so that we can measure progress? Does he accept that the maintenance of my party's bipartisan approach in Wales depends on the Government and the Minister meeting their own targets? There is still a gap there. Will he do more to ensure that the welfare-to-slaughter scheme can work and that we get the slaughter within 24 hours?

Mr. Brown: I have candidly set out for the House both the targets across Great Britain and the rate at which they are currently being achieved, and said that extra resources are still being brought in to ensure that we get even closer to those targets than we are doing now. As the hon. Gentleman will know, administration of the fight against the disease in Wales is, of course, a devolved matter for the Welsh Assembly. However, I promise him that there is very close co-operation and co-ordination between my Ministry, which is dealing with the outbreak in England, the Welsh Assembly, which is dealing with it in Wales, and the devolved authorities in Scotland.

Mr. Andrew Rowe (Faversham and Mid-Kent): My local NFU has approached me and, I imagine, most of my colleagues in Kent about the future of the Invicta abattoir at Lamberhurst. I am sure that, like many other abattoirs, the Invicta abattoir is currently suffering from a lack of trade. However, if it closes, it will not be available to assist with culls or any other action that is needed in the future. Can the Minister reassure me that such essential abattoirs will remain open during this period?

Mr. Brown: We have tried very hard, even before this disease outbreak, to support abattoirs, and there are various public policy reasons for our wanting to do so. I am not familiar with the particular circumstances of the Lamberhurst abattoir to which the hon. Gentleman referred, but if he would like to write to me about them, I shall certainly investigate and see what I can do.

Mr. Howard Flight (Arundel and South Downs): West Sussex has had the good fortune not to be infected, partly because of the care taken by farmers. Some 10 days ago, two landfill sites were designated in the Horsham district council area, but I am very pleased to say that, on Friday, I was advised that MAFF had reversed the decision. Nevertheless, that risk seemed to arise initially because of a complete lack of liaison between the Department of the Environment, Transport and the Regions—which had designated the sites—the Environment Agency, county councils, district councils and MAFF. As was reconfirmed today in a letter from MAFF, those sites could have been used for animals slaughtered in contiguous culls. Is there adequate liaison on those matters between all those who are involved in them?

Mr. Brown: Yes, there is. The difficulty, of course, is the need to consult a great many people about a range of different options and to do that as rapidly as possible. An enormous amount of work is being undertaken, but the time constraints are very short. Although that might seem like confusion to the outsider, mostly it is not—it is a lot of people working very hard to very tight deadlines. The hon. Gentleman said that he is pleased that that option will not be taken in the area that he represents and I understand why he says that. However, may I gently say to him that burial is the option being advocated to me by Opposition Front Benchers?

Mr. William Cash (Stone): The Minister will know that the first and main conclusion of the western command report, which was issued after the 1967–68 outbreak, was that standing instructions should be provided for any further foot and mouth outbreak. Will he not only tell us whether any such standing instructions exist, but ensure that they are placed in the Library so that we know exactly whether they have been followed? Secondly—as DETR Ministers are not in the Chamber—will he, please, inform his colleagues that those who live in Stafford borough council area and Newcastle-under-Lyme cannot understand why, under current rules, they do not qualify for business rate relief? Will he, also take such action as comes generally within his purview to ensure that they are put on the list?

Mr. Brown: I shall pass on the hon. Gentleman's public expenditure bid to my right hon. Friend the Secretary of State for the Environment, Transport and the Regions. As for the 1967 outbreak, in my last address to the House, I set out some of the differences between what is happening to us now and what happened in 1967. The features of this outbreak are unique and there is no map to guide us through it. On the specific subject of burial, the use of burial on the small farms and for the small numbers of animals that pertained in 1967 is quite different from the type of circumstances pertaining now. We really do have to be sensitive to the dangers to the water supply and to the water table features.

Mr. Peter Luff (Mid-Worcestershire): On bipartisanship, may I caution the Minister about relying too heavily on the words of the Conservative MEP Philip Bushill-Matthews, who was mentioned earlier by the hon. Member for Warwick and Leamington (Mr. Plaskitt)? That article was written four weeks ago, when we were all a good deal less unhappy than we are now with the handling of the crisis. More substantially, the Minister will be aware that the disease seems to be growing very fast in Worcestershire and that that is a matter of considerable concern. That is probably one of the reasons why residents in the vicinity of the Throckmorton airfield site—which is being used as a mass burial site by his Department—are not objecting to the principle of burial on the site, despite the fact that there was absolutely no consultation with them before the announcement. However, could he, please, ensure that the 25 or so parliamentary questions that I have tabled on the site are answered rapidly? Could he also, either now or in writing later, give me an assurance that there will be no burning of animal carcases whatever at the site?

Mr. Brown: I shall do my best to ensure that the hon. Gentleman's parliamentary questions are answered both rapidly and accurately, although it is not always as easy as it might appear to achieve both those aims. I shall check with my officials, and if I can give him the assurance that he seeks, I shall write to him within the next day.

Mr. Stephen O'Brien (Eddisbury): May I urge the Minister to establish an MPs' hotline? As the recess begins tomorrow, it is essential that it should be operating and properly staffed. How many extra staff has he taken on in his office, as that has been one of the few routes by which MPs have been able to raise serious issues on behalf of constituents? The Intervention Board is clearly in crisis. Mr. John Barnett, of Mickley hall, in Broomhall near Nantwich in Cheshire, now has more than 1,000 pigs waiting to be accepted for the animal welfare slaughter scheme, even though he applied on 23 February. As of today, he has still received no response, despite many assurances in the meantime.

Mr. Brown: I have already explained the pressures that the scheme is under. A hotline has been established for Members of Parliament, and I shall give the hon. Gentleman the number when this exchange comes to an end. The strengthening of private offices has been undertaken in the Ministry. Two extra people in my office are dealing with incoming inquiries, of which there have been about 120 from Members of Parliament alone.

Mr. Graham Brady (Altrincham and Sale, West): What advice and assistance have been given to the National Trust and other owners of deer parks, such as Dunham Massey in my constituency, on the steps that

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have been taken to safeguard the deer on their properties? In particular, what consideration has been given to the possibility of vaccination to protect those animals?

Mr. Brown: I understand from my hon. Friend the Parliamentary Secretary that advice has been issued on the management of deer. The most recent veterinary advice that I saw was that there was not a case for culling wild deer, on the ground that it would do more to spread the disease than to eliminate it. There are continuing discussions with those who have responsibility for managing substantial tracts of land on how to handle wildlife during this disease outbreak.

Mr. James Gray (North Wiltshire): Wiltshire is one of the areas approaching, we hope and pray, clean status, the last outbreak having been something like a month ago. Will the Minister give careful consideration to raising the restrictions there, as well as in the areas in the east of England that he mentioned earlier? Will he also give some thought to three issues that have been raised with me that could put that status in jeopardy?

First, we accept the need to bury, and Wiltshire is prepared to play its part in taking carcases from elsewhere for burial—that is a reasonable thing for a county such as ours to do—but will the Minister give farmers and the tourism industry an absolute assurance that lorries travelling through the constituency are 100 per cent. disinfected and totally safe? I am sure that they are, but farmers seek reassurance on the point.

Secondly, those farmers who have been granted licences have to take their lorries into Gloucestershire in order to go to disinfection centres, because there are so few centres around. Will the Minister consider opening new disinfection centres in Army, RAF or local authority sites, so that lorries need not go into infected areas before returning to Wiltshire?

Thirdly, when it comes to lifting the restrictions, which we all hope will be soon, will the Minister consider doing that progressively, following the same pattern as the outbreak, so that abattoirs and other parts of the infrastructure are not suddenly heaped with a huge burden that they cannot handle?

Mr. Brown: All three points are good and fair. We are considering lifting the restrictions in the hon. Gentleman's area, but I cannot give him a timetable. We are also considering whether it can be done in phases, rather than in one single move. We are further considering whether it will be possible to establish new disinfection centres, for exactly the reasons that he outlined. He accurately described the regime that is supposed to apply to the movement of vehicles. The vehicles are inspected to ensure that they conform to the standards that we have set out. The disease spread risk is absolutely minimal.

I understand why people want reassurances, and the hon. Gentleman was right to ask for them. I am happy to give him the reassurances that I have just set out.

Mr. Speaker: I am sure that the House would want me to thank the Minister for making his statement and replying to every hon. Member who sought to question him.

Point of Order

4.59 pm

Mr. Menzies Campbell (North-East Fife): On a point of order, Mr. Speaker. Have you had any requests on behalf of the Secretary of State for Defence to make a statement to the House? There are reports that a British forces' helicopter containing a number of personnel has crashed in Kosovo. Has a Minister from the Ministry of Defence sought your leave to make a statement to the House about that matter?

Mr. Speaker: I am sorry to hear about that terrible matter, but a Minister has not approached me.

Orders of the Day

Finance Bill

[Relevant documents: Minutes of Evidence from the Treasury Committee, Session 2000–01 on the 2001 Budget, HC 326-i to iv.]

Order for Second Reading read.

5 pm

The Chief Secretary to the Treasury (Mr. Andrew Smith): I beg to move, That the Bill be now read a Second time.

Notwithstanding the gravity of the foot and mouth situation, it is good to move Second Reading at a time when the fundamentals of our economy are stronger than they have been for a generation. Because of our reformed monetary framework, tough fiscal rules and prudent choices, we now have the lowest inflation for 30 years, and it is the lowest in the European Union; the lowest long-term interest rates for 35 years; the highest business investment for 40 years, at over 14 per cent. of gross domestic product; the lowest unemployment since 1975, with more people in work than ever before—more than 1.1 million more than in 1997; and sound public finances, cutting free of the millstone of debt run up by the Opposition when they were in government.

The Government inherited a £28 billion deficit and debt at an unsustainable 44 per cent. of national income, but we have made the biggest net cash debt repayment in one year by any British Government at £34 billion, and have reduced net debt to below 32 per cent. of national income. Because we have cut debt and unemployment and achieved higher growth and earnings, we are freeing up resources for priority areas in a sustainable way.

Mr. Andrew Tyrie (Chichester): Over the past four years, the Chief Secretary to the Treasury has made much about reduction in debt. Does he agree that debt reduction varies over the business cycle? Are the Government prepared to publish their cyclically adjusted estimate of debt reduction over the past 20 years?

Mr. Smith: I am happy to give the hon. Gentleman that information. However, if one looks at the projections of fiscal balances in the Red Book, one can see that cyclically adjusted, as well as unadjusted, we are well within our fiscal rules. Indeed, because we put those rules in place and stuck to them, we have reduced the debt to GDP ratio and, as I explained, released resources for priority services. The fall in debt charges alone has freed £7 billion compared with four years ago. The fall in spending on unemployment has freed about another £4 billion.

On that basis, we can plan ahead and invest for the long term in the nation's priorities: education, health, fighting crime, transport and science. Those are the priorities on which our future prosperity depends. The Bill builds on that strength and continues to deliver on our promises. The Budget of my right hon. Friend the Chancellor makes a clear choice about Britain's future and sets out a platform on which to build opportunity and prosperity for all. Like the Budget, the Bill takes a balanced approach, with stability as its foundation. Our hard-won economic stability enables us to deal with decades of underinvestment in public services, skills and infrastructure, and it is the basis for the success of Britain's businesses and a better deal for pensioners, children and families.

Maintaining and locking in that stability for the long term is at the heart of the Bill. We are taking a balanced approach, built around fairness, with support for children, hard-working families and pensioners; investment in our schools, hospitals and transport system; a sustainable environment; and higher productivity and enterprise, with employment opportunities and skills for all.

Following that balanced approach, this is a Bill for families and children and one that tackles poverty. We have made a clear choice to take account of the costs of children through the tax and benefits system and to help every child make the best start in life. It is a matter of choice that we have increased child benefit to £15.50, a rise in real terms of no less than 26 per cent.

Clause 52 proposes the children's tax credit at £10 a week, equivalent to a 2.5p cut in income tax for those families. From next year, it will be £20 a week for families in the year of a child's birth. A family who received just £11.05 per week under the last Government will receive £25.50 a week under this one. We are increasing maternity pay to £100 by 2003 and we will increase the payment period from 18 to 26 weeks, as well as introducing two weeks' paternity leave for new fathers.

The Bill takes further steps to make work pay. Twenty-five million taxpayers will gain from the widening of the lower 10p tax rate in clause 51, at a cost of £1 billion. Now, more of their income will be taxed at that lower rate, rather than at 22p. We have put up the working families tax credit by £5 and increased the minimum wage. Those two together mean that the guaranteed minimum income for families with children and with someone in full-time work will rise to £225 a week. That will make a real difference to families on modest incomes.

To ensure that pensioners share in the nation's rising prosperity, we are increasing pensions above inflation and above earnings by £5 a week for single pensioners and £8 a week for couples, with further rises of £3 and £4.80 next year. Because of the measures that we are taking this year alone, households will be, on average, £240 a year better off and families with children will be, on average, £420 a year better off. Two million of the poorest pensioners will be at least £800 a year better off.

Living standards for a typical family have risen by 10 per cent. since the last general election, with particular help going to the poorest and those who need it most. That is the measure of our commitment to building not only a strong economy, but a strong society—one that is making people better off.

Of course there is more to do. We must build the best possible environment for business to flourish and productivity to rise. Our ambition is to achieve a faster rise in productivity than our main competitors over the next decade. We want successful companies in all sectors to invest and expand. We have already created a more favourable company tax environment, with the lowest corporation tax rate ever in Britain and, overall, the lowest rate of any major industrialised country. We have reduced the long-term capital gains tax rate on business assets to 10 per cent.

Recent evidence of progress has been encouraging. In the last year, the economy has grown at 3 per cent. and manufacturing productivity by 4.4 per cent. Business

[Mr. Smith]

investment grew by 2.4 per cent. last year and we are now investing at a rate of over 14 per cent. of gross domestic product—the highest level for 40 years.

In January, Arthur Andersen and the Brussels-based GrowthPlus organisation released their pan-European benchmarking study on the environment for entrepreneurship and concluded that the United Kingdom, ahead of Europe and the United States, is the country that provides the environment that is most friendly to entrepreneurship.

We still have some way to go and we have proposed further reforms to promote competition, investment, innovation and enterprise. To promote long-term investment and to protect investors, we will take forward Paul Myner's recommendations in the review of institutional investment; we will abolish the minimum funding requirement and, through tax and regulatory reform, we will make it easier for institutions to invest in venture capital. We are building a competitive and modern tax system for large firms, with changes to double taxation relief in clause 79 and the abolition of tax on most payments between companies within the UK tax jurisdiction in clauses 83 to 85.

Mr. Ian Taylor (Esher and Walton): As I reflect on the Chief Secretary's investment calculations, I wonder what effect changes in the economic background since the Budget will have. For example, cuts in capital expenditure in the telecommunications industry are leading to considerable job losses, and there will be a knock-on effect from the United States. Does he have any post-Budget feel for the outcome in the UK over the year?

Mr. Smith: Yes. Information available since the Budget could not, of course, have influenced the figures in the Financial Statement and Budget Report. It is interesting and instructive, however, to examine the average of the independent forecasts, the most recent of which have been published since the Budget. Their growth predictions for the UK average 2.6 per cent., which is towards the upper end of the Budget prediction of between 2.25 and 2.75 per cent. To that extent, we have had some reassurance from the independent forecasters.

The hon. Gentleman mentioned external circumstances, and any slow-down in the United States would be a matter of concern. That, too, could not have been factored into the Budget predictions, but the general estimate is that a 1 per cent. slow-down in the United States would affect the UK export market by about 1 per cent. and would affect GDP by around 0.25 per cent. I hope that that answers his question.

Mr. Oliver Letwin (West Dorset): Unless I misheard my hon. Friend the Member for Esher and Walton (Mr. Taylor), he was asking about investment rather than growth. It would be interesting to hear the Chief Secretary's latest analysis of that.

Mr. Smith: Prospects for investment are sound and in line with our forecasts. Recent trends have also been encouraging. We are not complacent, but the soundest basis on which we can attract and sustain investment is the platform of stability that the Government have put in place by applying and sticking to sound fiscal rules, by having sound money, by hitting our inflation target and by investing in skills and improving competition so that we have a successful and dynamic enterprise economy.

We are carrying that work forward in the Finance Bill. For large firms, for example, there will be the changes in double taxation to which I have already referred. We shall consult on a widely welcomed measure: the possible extension of the research and development tax credit to larger firms. We are also consulting in detail on relieving tax when companies sell substantial shareholdings. Since 1997, enhanced capital allowances and new tax credits to encourage research and innovation have already saved business more than £1 billion. Increasing research and development by large companies can have a big impact on the UK's long-term productivity.

The Bill will also improve the environment for small and medium-sized enterprises. Clause 62 doubles the value of share options that can benefit from tax relief through enterprise management incentives to £3 million. Clause 61 extends the right to benefit from that relief to all employees. Alongside the measures introduced in the Bill, we are reducing the burden of tax and regulation on small firms with a package of measures to cut the administrative burden of value added tax, and that, too, has been widely welcomed. We are simplifying small business corporation tax by making companies' annual accounts the basis for calculating tax, cutting at a stroke the need for a parallel paper chase.

The Bill will make the tax system more responsive to specific needs to benefit businesses, communities and people throughout Britain. In particular, it will help to ensure that areas left behind by rising prosperity are helped to catch up, with a package of six tax cuts, totalling £1 billion over five years, targeted on enterprise in our poorest areas.

We are also giving a boost to the British film industry by extending tax relief for British films for a further three years, under clause 72. We are reforming betting duty. In recognition of the importance of our national heritage, we are bringing in a scheme to reduce VAT on church repairs and making refunds available to national museums and galleries that allow the public free admission.

Mr. Michael Jack (Fylde): The right hon. Gentleman mentioned further support for the British film industry. What rate of return has so far been received for the taxpayer's investment in that industry, and does it justify the additional help that will be given?

Mr. Smith: The industry's recent success—in awards as well as rewards and returns—fully justifies the steps that we have taken. Moreover, the fact that the extension was made possible was warmly welcomed not merely in the industry, but by commentators and more generally.

We are also initiating consultation on tax relief for community sports clubs, acknowledging their invaluable contribution to recreation and a strong society.

On skills, we recognise that today's economy demands more workers with higher skills and qualifications to fill new jobs. However, up to 30 per cent. of all employees do not have basic level 2 qualifications so, as well as the extensions to the new deal and the provision of training to people on benefits, we want to encourage companies and employees to upgrade their skills. To back up the tax relief that we already offer on employee training, we shall

consider a new tax credit to support training. We are launching an independent study to enhance the supply of highly skilled scientists and engineers, who are also an important part of the work force for productivity and future growth.

Britain is already one of the best business environments in the world. We shall continue to look at new ways to help Britain's companies raise their productivity. The reforms that we are making through the Bill will make the environment for all businesses better still.

Moreover, following on from previous Budgets and the steps that we have taken to tackle climate change, improve air quality, promote lower emission fuels and renewable energy, and regenerate rundown areas, the Bill carries forward the Government's commitment to a sustainable environment. Clauses 1 to 3 effect our cuts in fuel duties for ultra-low sulphur petrol and ultra-low sulphur diesel and enable the Government to provide reliefs for pilot projects to develop more environmentally friendly fuels.

Clauses 8 to 14 increase to 1,549 cc the engine size below which the lower rate of car vehicle excise duty is paid, reform VED for goods vehicles, and implement the new exemption for tractors and agricultural machinery. Altogether, those measures are worth £1.6 billion a year to motorists—equivalent to a 4p per litre cut in fuel duty for motorists—and £660 million to the haulage industry, which is equivalent to a 7p per litre cut in fuel duty for hauliers. The measures also promote less environmentally damaging fuels and vehicles.

The introduction of the aggregates levy in clauses 16 to 49 seeks, in a revenue-neutral way, to promote the use of recycled aggregates and other alternatives to primary aggregates to reduce environmental impacts of quarrying such as damage to biodiversity, visual intrusion and nuisance to nearby communities.

Mr. David Heath (Somerton and Frome): I am sure that the Chief Secretary is aware of the useful talks between his colleagues in the Department of the Environment, Transport and the Regions and the major quarry producers about creating a rebate scheme for companies that introduce environmentally friendly measures. Given that that is on-going, that it is referred to in the Red Book and that there is now no incentive for companies to introduce measures that would make their activities more environmentally responsible, would not it be more sensible to delay the introduction of the aggregates levy until the rebate is ready?

Mr. Smith: It would not be sensible to delay the levy, for the logical reasons that I am about to give, but the hon. Gentleman makes a good point about introducing more environmentally responsible quarrying methods, and we are attracted in principle to the approach that he advocates. Of course, some difficult definitions and criteria will have to be sorted out, but we shall continue to discuss that possibility.

It is important that we go ahead with the levy to provide an incentive to use more environmentally sustainable alternatives and, in a revenue-neutral way, to use the funds from the levy to cut employers' national insurance contributions and to establish the new sustainability fund, which will come into operation at the same time as the levy in April next year. As announced in the pre-Budget report, £35 million a year will be allocated to the fund and we shall consult further on the details of its operation.

The climate change levy and the landfill tax, dealt with in clause 102, together with the aggregates levy, demonstrate our readiness to provide incentives for the environmentally sustainable use of scarce resources. By bringing actual market costs more in line with real economic costs, economic instruments that allow those involved in environmentally damaging activities to respond according to their circumstances meet the public good as well as helping the environment. Attaching a price to environmental detriment creates a permanent incentive for innovation and investment in less polluting methods of production and encourages the consumption of cleaner products.

Revenues from new environmental taxes are being used to cut the rate of national insurance, rather than to boost the income of the Exchequer. That is not only economically rational, but environmentally responsible. Those Opposition Members who delight in opposing such measures are simply refusing to face up to the tough choices that are necessary if we are to take our environmental responsibilities seriously.

The Bill sets out a clear choice for Britain's future. This Government have built a platform of economic stability as a basis for future prosperity. The choice that we have made is to build on that stability. We have chosen more investment in our public services, not less. We have chosen sensible tax cuts for hard-working families, not underinvestment and cuts in our public services, which are the undeniable consequences of the policies—such as they are—of the Conservative party.

This is a Finance Bill for families and children, and it tackles poverty and unemployment in our poorest communities. It will help Britain's businesses grow. It will carry forward stability as the basis for a strong economy and a strong society. It represents the way to deliver opportunity and prosperity for all, and I commend it to the House.

5.23 pm

Mr. Oliver Letwin (West Dorset): I must begin by congratulating the Chief Secretary, who managed to occupy almost 24 minutes of the House's time so elegantly and beautifully, while saying almost nothing at all. That was, of course, forced on him by the character of the Bill.

It is odd to debate Finance Bills on Second Reading. I suppose that we are forced to do so by the conventions of the House, but, of course, no hon. Member on either side of the House would deny the necessity of having a Finance Bill. The debate on Second Reading is intended to be about the principle of the Bill, so I suppose that perhaps we ought to—[HON. MEMBERS: "Sit down now."] Exactly, but this is not the Finance Bill that we should have liked, and I hope that the House will take my remarks in that light.

As always, I declare my interests as set out in the Register of Members' Interests but I have no idea how the remarks that I am about to make could possibly benefit them. None the less, I declare them all the same.

The background to the Bill is not quite as the Chief Secretary outlined it. It begins with a long record of taxation by stealth to pre-fund the rapid growth of expenditure. There has been a 3 per cent. increase in the tax burden measured as a proportion of gross domestic product, and that comes to about £30 billion a year.

[Mr. Oliver Letwin]

I apologise, Madam Deputy Speaker, for boring you by reminding you of the analysis that Her Majesty's Opposition have repeatedly made of that increase, but I shall outline that as a precursor to the latest developments.

Our complaints to date have been as follows. First, there has been no sign yet of any efficient expenditure. You may be aware, Madam Deputy Speaker, of the posters that have appeared in our streets which ask people why, given that they have paid the tax, they have not seen any extra policemen or received the operations that they expected and so on. There is sign of expenditure but no sign yet of efficient expenditure.

Secondly, we have repeatedly asserted that the rise in expenditure is ultimately unsustainable without a consequential increasing tax burden into the future. That would have the further consequence of decreasing the competitiveness of our economy.

Thirdly, we have made what I think is an undeniable argument; it is undeniable because I have not heard the Chancellor or his colleagues deny it. If expenditure is not to result in the inefficient rise in taxation in two or three years' time that the Government deny they will engage in, it must result in an inefficient cut in expenditure growth. We have said that and we have said it again, and I have been listening hard for Ministers to explain how they can increase expenditure at its current rate and then suddenly cut its growth and find that public services are delivered efficiently. As far as I know, that has never been achieved anywhere in the world and I would be surprised to find that it can be done here.

Mr. Edward Davey (Kingston and Surbiton): I had understood that the Conservative party was in favour of the Government's spending proposals. Will the hon. Gentleman therefore explain whether the Opposition would cut expenditure inefficiently or raise taxes?

Mr. Letwin: I am surprised that the hon. Gentleman, for whom I have considerable admiration, has not attended to the interesting debate between the Government and ourselves. The Government claim that the Conservatives' policy is to reduce expenditure by 2003–04 by £16 billion, although the figure varies by the day. The actual policy is to reduce expenditure, compared with Government spending plans, by £8 billion, and that would reduce the rate of growth to a sustainable level.

I make my remarks only by way of background, because we have recently moved into a new phase. There has been a clear change in the mood with which commentators greet statements by the Chief Secretary and the Chancellor. Let us imagine moving forward to 2003, and ask ourselves whether we can be as confident as the Treasury once was that there will be no slow-down and that the economy will continue to grow with the abolition of the cycle that my hon. Friend the Member for Chichester (Mr. Tyrie) alluded to implicitly. The answer is that, without any forecasting, we cannot be as certain as we once were.

If there is a slow-down, we must then ask ourselves whether the Budget and the Finance Bill that embodies it—and previous Budgets and the Finance Bills that embodied them, and the next two Budgets—are as prudent as the Chancellor and Chief Secretary now imagine them to be. The answer must surely be no. If there is a slow-down, all my arguments will have rather more force in three years' time. It will be all the more necessary to cut expenditure growth and the more inefficient not to do so. It will be truer that tax rises at that time will occur when the private sector can least afford them. Alternatively, the Government could choose—I doubt that "Mr. Prudence Brown" would dream of doing so because he does not have this reputation—to allow for ballooning borrowing. That is an unenviable set of choices.

The Government have so constructed things at a time of great uncertainty that, if the worst predictions are to be proved true, they will be faced in three years' time with the prospect of raising taxes at the worst possible moment, cutting expenditure when it would be least efficient to do so, or with ballooning borrowing, which is never efficient.

The problem is not that the Bill aggravates the situation, which is why I congratulated the Chief Secretary; in truth, the Bill does not do much at all. The problem is that it does nothing to address the underlying problem that the Government have built up in successive Budgets and Finance Bills.

Ms Sally Keeble (Northampton, North): In the scenarios that the hon. Gentleman paints for three years' time, he does not seem to hold out a hope that his party will be in government.

Mr. Letwin: Dear me; I shall pass over that comment in the spirit of last year's proceedings, in which we engaged in serious economic and fiscal debate. Conservative Members intend to keep the debate at that level. *[Interruption.]* I think that we had such a debate. I hope that the Paymaster General agrees, because we saved her from the disaster of a double tax relief regime that would have squeezed multinational companies out of the country for ever. The nation should be a little grateful to us. We were not alone in that. The Confederation of British Industry and many others also played a part. We helped her to become the saviour rather than the destroyer of British industry.

Let me deal with one item, which I am inclined to describe as the only real measure in the Bill. It took the Chief Secretary 19 minutes to reach it and he spent two and a quarter minutes on it. That is odd because it occupies 33 of the 108 clauses and is the only major new tax in the Bill. Why did he do that? He has the awesome might of the Treasury behind him. Presumably scribes have been working for weeks on his great speech. He could have mounted a defence of the magnificent new measure, but instead we got 19 minutes of silence on it, two and a quarter minutes of febrile meanderings and a complete refusal to deal with the serious matter raised the hon. Member for Somerton and Frome (Mr. Heath). As usual, the question was not quite on the mark because the problem is worse than it implied. Nevertheless, the Chief Secretary should have given a proper reply, but was unable or unwilling to do so.

Why so little attention to the measure? The reason must be that the aggregates tax is a text-book example of everything that is wrong with the Government's fiscal approach. It is, as the Chief Secretary suggested, like its famed predecessor, the climate change levy.

The Financial Secretary to the Treasury (Mr. Stephen Timms): Good.

Mr. Letwin: That is the official view. That will not, however, be the opinion of most people who have to pay it. Moreover, the levy and the aggregates tax share the feature of the Holy Roman empire which was not holy, Roman or an empire: the climate change levy is not about climate change and the aggregates levy is not about aggregates.

Its first feature is that it is a tax, which marks it out as a true measure of the Government. It is, of course, a stealth tax. In fact, it is probably the stealthiest of taxes. If the aggregates tax were a tax on aggregates and calculated or designed to have the slightest effect on their extraction, it would at least be declaring what it was about. Its name would suggest that purpose. However, the Treasury has distinguished economists, including micro-economists, working for it. They know, and must have told Ministers many times, that an aggregates tax will have no such effect.

Instead, the tax will have two other effects. First, it will raise the amount that it costs to extract aggregates, and hence reduce the sum that people are willing to pay for the land from which the extraction occurs, so it is a tax on land. Secondly, it will raise costs at the other end, on production for construction, so it is a tax on construction. However, the Bill does not refer to a construction tax or a land tax. Why not? *[Interruption.]* My hon. Friend the Member for Chichester is right: because there are echoes of development land tax. The last thing that the Government want to do is admit that they are imposing a tax on land or construction, because those would be unpopular, so they have devised an immensely ingenious idea—they have gone to the middle of the value chain and called the levy an aggregates tax, which sounds like an environmental measure.

The Chief Secretary let the cat out of the bag, however. Why not delay the implementation of the tax until it has been redesigned by the ingenuities of the Financial Secretary, who managed so to contort himself that by the end all those affecting climate change do not pay any climate change levy, but everybody else does? He could have designed a system that would induce those who are affecting climate change to affect their production of energy. In due course, the Chief Secretary, the Financial Secretary or another member of the Government who is inclined towards prestidigitation could have come to the House and announced a weird and wonderful scheme that exempted from the aggregates levy those extracting aggregates in such a way that they ended up, nevertheless, extracting fewer aggregates. For the moment, however, we have a classic stealth tax. It is a tax on land and construction, so the Government want to introduce it before any of the things that I have described have happened.

The next element of stealth is a classic example of the Government's method of proceeding. I almost admire it and have grown almost to love it, but the nation will not admire or love it. The tax is introduced under the rubric that it is fiscally neutral. That is a wonderful phrase. Every time the Government introduce a tax, they say not only that it is environmentally beneficial when it is not, but that it is fiscally neutral. How is it fiscally neutral? There is an offset on national insurance contributions. That is the Government's favoured methodology.

If the Chief Secretary is willing to come to the Dispatch Box to contradict me and give the House an assurance, I will withdraw what I am about to say. Let him promise that in succeeding years there will not be a rise in that tax without an exactly concomitant decrease in national insurance contributions, and I will withdraw my assertion. I see no sign of movement. I predicted that I would see no such sign because it is precisely the Government's intention to create an addition to the tax base that will enable them in due course to extract more from their land and construction tax than they have relieved from national insurance contributions. When that happens, there will be few people in the House who will remember this debate because very few people want to attend a debate about so boring an item as the Finance Bill. The Chief Secretary did his best to make sure that the Members in the Chamber would leave so that they would not remember some years from now that he had not responded to my assertion.

The fact is that the tax is a device. As I said, I have come almost to love it because it is so widespread and so brilliant. Yet, oddly enough, it is now so transparent that it is not as brilliant as it once was. In due course, this land and construction tax will rise inexorably with little or no concomitant decrease in national insurance contributions. It is therefore a stealth tax in every dimension. It is stealthy because it is not about the item that it says it is about; it is stealthy because it is about other items that it does not say it is about; it is stealthy because it says it is fiscally neutral but it will actually go up; and it is stealthy because, in the end, this is a Government who depend on stealth taxes to raise large sums to fund ultimately unsustainable public expenditure programmes.

There is a worse problem. It is parallel to what happened last year with the brilliant device of double tax relief, the proposals on which had to be withdrawn. The Government have made an error, which I suppose comes from haste, and they—and more to the point, the nation—will come to rue that error. For a long time, we in this country have taxed natural resources in public ownership. The petroleum revenue tax is the classic example. None of us on either side of the House has an objection in principle to such a tax.

I am sure that the Chief Secretary advisedly used the term "taxing the use of natural resources". I am sure that he or the person who wrote his speech meant that term, but a precedent is being set which I doubt the Chief Secretary or the Chancellor intended. If they did intend it, they are a great deal less benign than I am inclined to give them credit for being. So far as I am able to determine, there has never been a tax on privately owned natural resources. This is a departure. We are talking about land that, in most cases, is in private ownership. A private operator comes along and extracts natural resources, having paid a market price for the land, so that it can deliver a product to private sector users engaged in construction. At no point in the chain are we dealing with a national resource in the sense of one that is in public ownership. The tax that is being applied is therefore an intervention in the marketplace. Once one starts down that route, there is no limit.

The following are not covered by the tax: coal, lignite, slate, shale, soil, vegetables and organic matters, anhydrate, ball clay, barytes, calcite, china clay, feldspar, fireclay, flint, fluorspar, fuller's earth, gems, gypsum, metal ore, potash—we do not have much of that in

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the UK—rock phosphates, sodium chloride, talc, spoil and waste by-products, by-products of continental shelf drilling, spoil from roads, stone used for dry-walling, armourstone, rock and stone not crushed.

I hesitate in reading out the list, because I see the Financial Secretary's eyes lighting up. He no doubt has it in mind to introduce a series of fiscally neutral measures, taxing each and every one of those commodities in due course. With the aggregates tax, he and his colleagues have opened the barriers to exactly such taxation. I said that they did not mean to do so, and I hope that that is true. It is a horribly inefficient and complicated way of extending our tax base. It involves a new series of taxes, each with its own complexities.

Mr. Patrick McLoughlin (West Derbyshire): I am interested in all the exemptions from the tax that my hon. Friend outlined. I thought that the Prime Minister and the Secretary of State for Trade and Industry had given an undertaking that they would do everything possible to avoid red tape and complication. Surely my hon. Friend has got the exemptions wrong and the tax is straightforward, or we do not have joined-up government.

Mr. Letwin: I have terrible news for my hon. Friend. Those are not the exemptions; those are merely the matters that are not covered by the present tax. We have not even seen the exemptions—they are not in the document. The exemptions are yet to come; that is the purport of what the Chief Secretary told those on the Liberal Benches. We are to be presented in due course with a scheme of bewildering complexity produced by the genius of the Financial Secretary. I hazard a guess that the scheme will exempt one class, which will be exactly the class of those who extract aggregates. If that does not happen, I will buy the Financial Secretary a lollipop, even in these hard times.

I hope that I have said enough to suggest to the House that the Opposition are not wholly in love with the aggregates tax. Indeed, we shall oppose it. We shall scrutinise it in Committee in the detail that it deserves.

Mr. Andrew Smith: Will the hon. Gentleman tell us what he and his party will do to tackle the environmental damage and costs of quarrying?

Mr. Letwin: As the Chief Secretary is doing nothing through the tax to tackle the environmental damage caused by quarrying—the tax will not affect the extent of quarrying in the United Kingdom—that is a question for the Department of the Environment, Transport and the Regions. It is a serious question, but his tax does not affect it. As I pointed out, the tax is a tax on land and on construction. It will not affect by one jot the amount of aggregates extracted in the UK.

I move on to two items that are not in the Bill and on which I hope that we can reach agreement in Committee. When we dealt with double tax relief and the control of foreign companies last year—at exhaustive length, as I think that the Paymaster General would agree—and in subsequent statements, the Government made clear two things, both of which I had hoped would be reflected in the Bill, but are not. Although these are properly matters for the Committee stage, I flag them up now so that the Government have the maximum amount of notice of what we shall be banging on about. I make no apologies for banging on at great length about these matters.

First, when the splendid resolution on onshore pooling was brought back into the Bill, it was a specific concern to many of us and to a number of major UK multinationals that there might be a problem for those who were forced by the provisions to restructure so as to achieve a flatter structure of subsidiaries, whose subsidiaries were currently held indirectly, in particular in the United States, Japan and Germany.

The problem arises when a UK-based multinational plc holds a low-tax subsidiary which is itself the owner of a high-tax subsidiary or vice versa, and when, in order to achieve the onshore pooling effect, it is necessary to sell the subsidiary of the subsidiary to the UK multinational plc, in order that it should be the direct owner so that the onshore pooling can occur. The Paymaster General will recognise that that is the effect of the Finance Act 2000. During consideration of that legislation, we pointed out that, for some existing UK plcs, the restructuring exercise could produce uncovenanted tax costs in overseas jurisdictions where capital gains can be crystallised by the mere act of reselling holdings within a group structure. I think that the Paymaster General promised that she would consider the matter. I suppose that she might have done so, but it has not been dealt with. The Bill contains no transitional provisions to accommodate the difficulty, but such measures should exist and the Opposition will table amendments accordingly.

Secondly—

Mr. Brian H. Donohoe (Cunninghame, South): Secondly?

Mr. Letwin: I mean secondly only in respect of the small area about which I am speaking: items that are omitted from the Bill.

Secondly, when the original proposals were made on double taxation relief and control of foreign companies, it was promised that those components would be accompanied by a third measure to allow either exemption or roll-over relief for companies that were disposing of substantial shareholdings. Indeed, I believe that that promise was sustained throughout the long saga of the revision of the double taxation relief proposals: I described a moment ago the manoeuvre in question, which is necessitated by the requirement to establish a flatter structure of holdings.

It would be sensible if companies that were forced into that position by the DTR and CFC provisions could claim either exemption from capital gains tax at the time they sold or restructured their holdings within the group, or a roll-over relief that allowed them to continue indexation—bearing it in mind that it is indexation, rather than tapering, that still goes on in the business world. Alas, that promise appears to have disappeared into a long-grass Green Paper—if Green Papers can be composed of long grass—and is not contained in the Bill, but the Opposition and British business believe that the Bill should contain such provision. Again, we will table amendments accordingly.

I fear that the most astonishing omission from the Bill is neither those tidying manoeuvres nor the others that we shall suggest in a constructive spirit in Committee.

This debate is occurring after a pretty harrowing 90 minutes, in which hon. Members interrogated the Minister of Agriculture about what is probably the worst crisis to have hit the British countryside in the past four years. It is certainly a crisis that will lead to very significant difficulties for many of the constituents of hon. Members on both sides of the House, so one would have expected the Bill to contain serious measures to alleviate it. Of course, it could not contain all the measures that are needed, as many fall outside its scope, but one would have expected it to deal with the tax side. I do not refer to our £500 million interest-free loan scheme—a proposal that could not be accommodated within the Bill, although it could and should be implemented by the Treasury—but there are other such omissions.

In particular, we desperately need measures to refund VAT input charges much more rapidly than usual. I shall explain that point a little more, although I think the Paymaster General will have taken it on board with lightning alacrity, given her great knowledge of the VAT system. Usually, when hoteliers or farmers who have a bed-and-breakfast proposition, or whatever else, come to Customs and Excise and find that at the end of a three-month accounting period the VAT input charges that have been paid on consumables exceed the VAT output charges that they have levied on their customers—the problem being that there were no customers—they have a right to claim a refund.

There is no debate about that arrangement, as it is part of the ordinary workings of VAT, but there is a problem. The Paymaster General will be aware of the difficulty, although I think that most of us will be more aware of it as ordinary citizens and constituency Members of Parliament. The fact is that Customs and Excise is jolly slow at making such payments. The Paymaster General shakes her head, but she stands in danger of being sent copies of all the documents that we have accumulated in respect of cases of slow payment by Customs and Excise.

It is clear that there ought to be a rapid refund scheme, which should automatically ensure that people receive a quick refund of, say, a month's worth of VAT input if they qualify for relief.

The Paymaster General (Dawn Primarolo): If the hon. Gentleman has examples of cases of Customs and Excise not responding as quickly as it should have, I sincerely hope that he will send them to me—however great their number—so that I can chase them up.

Mr. Letwin: We certainly will, but let me tell the Paymaster General some sad news. I am surprised that she is not already aware of it. I am not saying that Customs and Excise has not been acting at its usual pace; I am saying that it has acted at precisely its usual pace.

I do not know whether the Paymaster General has had any dealings with Customs and Excise as a customer, so to speak, as opposed to in her capacity as a Minister, but I assure her that the speed with which it responds to requests for money back is not as great as the speed with which it responds to requests from her private office. The pace is, in fact, rather slow. In the normal course of events, that is not a problem: things are settled in time, and interest is paid. The Conservative party proposes that there should be symmetry in the interest charged on late payments in one direction or the other, but we shall let that be for the moment. At least there is an interest charge, and, as I have said, in normal times the problem is not so great. Today, however, having to wait for even a couple of months could mean the difference between life and death for some small businesses. Payment should be made on the nail—on the day.

Mr. Andrew Smith: That being the case, why has the hon. Gentleman not sent in the examples?

Mr. Letwin: Because we are not long past the date of first accounting. We are dealing with the problem today, and today is April the something or other—the ninth. We are eight days past the accounting period. The problem is that nearly all the companies with which we are dealing—sole traders—will have been dealing on a three-month basis. If they have a month's or six weeks' worth of VAT output zero and a large amount of VAT input and put in a claim, in the near future we shall hear complaints that they have not received an input refund, believe me.

Mr. Donohoe: Can the hon. Gentleman tell us just how many examples he has been given? He said earlier that he had been given examples; now he is saying the opposite.

Mr. Letwin: What I said was that the Paymaster General stood in danger of being given each example.

Mr. Donohoe: How many?

Mr. Letwin: None—because we have come to the end of the three months. *[Interruption.]* Oh dear; I hope that we can raise the intellectual level of the debate. We are dealing with a problem that will have begun to occur in the last eight days. We have been dealing with a foot and mouth crisis that has been worsening over the past six to eight weeks. People will have made their three-month returns. I guarantee to the Paymaster General that if no steps are taken, we shall see a flood of complaints about late repayment.

It should, incidentally, be no problem for the Paymaster General to agree to our proposed amendment if it is really true that, as she and her colleagues seem to be claiming, there is no delay. Why not make the arrangement automatic? If there is no problem, let us solve it—that is, let us ensure that there cannot be a problem.

The second difficulty arises on the Inland Revenue side—the income tax side. There are two particular problems in this connection. The first concerns those with tied accommodation: we think especially of tenant farmers. There is an oddity in that the Inland Revenue treats the second house owned by such a tied-accommodation dweller as a principal residence for the purpose of not levying capital gains tax. That is a long-established principle in law. Unfortunately, when the working families tax credit was melded into income tax and when—I take it—people's arrangements were moved from the Department of Social Security to the Inland Revenue following the legislation, that principle was not applied. People in tied accommodation who need the working families tax credit now cannot receive it, because they have a second house that is not treated as a principal

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dwelling for that purpose. A simple amendment will suffice, and we will table one. I hope that we can reach agreement on it, because it is urgently necessary.

Dawn Primarolo: Is the hon. Gentleman saying that second accommodation that generates income takes people beyond the WFTC limits?

Mr. Letwin: It may or may not be generating income; the capital sum alone would take people beyond those limits. A wealth test, rather than an income test, is causing the problem. Where there is sufficient income, we are much less worried. The problem arises when there is not sufficient income, and people who would otherwise qualify for the WFTC are excluded by the wealth test.

The second problem on that front involves farmers, hoteliers and other sole traders who, in July, will make corporate income tax payments that they will not eventually be due to pay. There will be an adjustment in due course, but it will be of little benefit to someone who becomes bankrupt and cannot reclaim the money because he or she is not in business. We need a scheme—again, we shall table an amendment on which I hope we can reach agreement—to allow automatically for an early provisional claim. It is the wording of the relevant Act—the Taxes Act 1988—that is causing the problem, and we hope that our amendment will solve it. That too is urgently necessary.

Finally—I appreciate that the House will be longing for me to finish—[HON. MEMBERS: "No, no."] Kind though that is, I am sure that my hon. Friends are, in fact, longing for me to finish, and I shall.

Let me end by saying that there is another absence from the Bill, less immediately important than others but structurally more important. We need—in this Bill, or in the next Finance Bill or the one after that—to see the vast changes in tax structure, and the great tax reductions, that Conservative Members have advocated. We need to see, from 2003, a removal of tax from savings and dividends for basic and starting-rate taxpayers; we need to see a significant increase in the limits on approved share options for small and medium-sized enterprises; we need to see a considerable rise in pensioners' age-related allowances; we need to see the introduction of transferable allowances for married couples, the exemption of widowed parents' allowances from tax, and the increasing of a much-restructured child tax credit by £200 for children under five.

Those are measures for which we have been calling. They are measures that need to be installed in a Finance Bill. What better opportunity could there be than that provided by a Bill as empty as this—and, we hope, subsequently to be denuded of the ludicrous aggregates tax?

Mr. John Bercow (Buckingham): Does my hon. Friend recall that, according to the last Labour party manifesto, how and what Governments tax send clear signals about the economic activities that they wish to encourage or discourage, and the values that they seek to entrench in society? Can my hon. Friend tell me, on the basis of that commitment by the Labour party, why it has chosen in government to punish families, savers and motorists?

Mr. Letwin: I can only assume, using my hon. Friend's impeccable logic, that those are the activities that the Government wish to discourage; but, as that would be to discourage nearly everything that goes on in the United Kingdom, I am driven to the conclusion that it is by mistake that the Government are taxing them. We hope to save them from that mistake, in part by introducing measures that will relieve some of the people described by my hon. Friend, and in particular will give people a major new set of incentives to save and provide for themselves over their lifetimes. That is another urgent necessity if we are to avoid a society that depends increasingly on the very means-tested benefits that the Chancellor of the Exchequer has misguidedly extended so far.

Mr. Oliver Heald (North-East Hertfordshire): Does my hon. Friend share my concern that the savings ratio has plummeted under this Government? Does he agree that the removal of the taxes to which he has referred would give a much-needed boost to the savings sector? What are his views on the steady decline that we have seen, and what are the likely consequences?

Mr. Letwin: My hon. Friend is, of course, right. He need not consult my views, however: paltry as they are, they do not bear comparison with the grand majesty of the Treasury's own views. The Treasury has said—perhaps the Chancellor failed to read the Red Book at this point, and allowed the Treasury to speak for itself—that if the savings ratio remains as low as it is at present, it is a very worrying sign for the economy. So it is: but we are not concerned just with the savings ratio in any given year.

As my hon. Friend knows, what we are concerned with is the long-term culture of saving, or the long-term absence of a culture of saving. That has the most profound effects. It is not something that affects only the availability of domestic capital. I was interested to see that the Chief Secretary failed completely to answer a question about gross fixed domestic capital formation. Either he does not have any idea what the trend is or, as I suspect is more likely, he has an idea but does not want to tell us.

That is not the only way in which the savings culture, or an absence of it, has an effect. Much more profoundly, it has an effect on the relationship of the individual with the state and with society at large. If an individual is given insufficient incentives to save as he goes through life, it is inevitable that at some stage, if his income is low, he will be cast on to state benefits. In many instances, that is degrading for the individual. Much more important, it creates a dependency that institutionalises a huge fiscal problem.

As benefits extend to almost 50 per cent. of the population, and as we go through the cycles that Ministers so grandly think that they have abolished, we shall increasingly see fiscal accounts being shot to hell by increased expenditure on means-tested benefits. That is to no one's benefit. It seems nice to the individual who is receiving the benefit but it does not seem nice when the individual is paying tax to support the benefit, or engaging in the borrowing that will lead to the tax to support the benefit.

There is a serious problem, and the Government or the Treasury are aware of that. What are the Government doing to cure it? The answer is nothing. What are the

Opposition proposing to cure it? The answer is much. That is why we shall advance the tax measures that I have described.

The Bill contains almost nothing except one nasty and classic example of a stealth tax, which we shall oppose. The Bill fails to contain the very things that it needs to contain, such as urgent measures to deal with foot and mouth, long-term strategic measures to deal with the failures of our tax system and a remedy to the problems that arose in the course of the previous Finance Bill. One could not produce a Finance Bill that does less or does it worse than this one.

6.2 pm

Mr. Denzil Davies (Llanelli): The hon. Member for West Dorset (Mr. Letwin) seemed to say at the beginning of his speech that he did not see much point in considering the Finance Bill on Second Reading. I do not know whether he was saying that. Most of us would wish to have the debate; otherwise, he would have been deprived of 39 minutes of a rather rambling but no doubt intellectual speech. That would be to do him an injustice.

The hon. Gentleman rambled from the aggregates tax eventually to savings. His treatment of savings was extremely simplistic. There is much evidence that the savings ratio decreases when people are confident about the economy. *[Interruption.]* People may be confident of their jobs, confident of growth and confident in the Government. He suggested that there will not be capital for investment because the savings ratio is low. The United States has a low savings ratio, but it manages to provide considerable capital—partly through the stock market—for the investment that he wishes to see.

Mr. Letwin: If there is an excuse for considering the Finance Bill on Second Reading, to hear the right hon. Gentleman is possibly it.

First, does the right hon. Gentleman recognise that I was referring to domestic sources of savings? I take his point that one can call on external sources, but those are difficult in terms of the exchange rate. Secondly, does he accept that if the savings ratio remains low despite the lack of confidence that is beginning to emerge, there is genuinely a worrying trend?

Mr. Davies: I do not think that there is a lack of confidence. If people were less confident about the economy, they would probably save more. These things happen from time to time. There is no correlation between a bad economy and low savings. People do not save when they are confident. They seem to save more when they are less confident. That seems to be the history of this difficult subject, which the Treasury and many economists have considered over the years.

The purpose of a Finance Bill is to provide the legislative means to put into effect the taxation changes, about which we heard about from my right hon. Friend the Chief Secretary, that are announced in the Budget. It is necessary to have a Finance Bill to put most of them into effect. There are clauses that provide for a reduction in fuel duties and a reduction in vehicle excise duties. There is the welcome increase in the children's tax credit and the increase in family tax credit. There are small but extremely helpful changes to VAT, which I believe are welcomed by businesses, especially small businesses. There is also the welcome way in which my right hon. Friend the Chancellor of the Exchequer provided income tax relief by extending the threshold on the 10p lower rate rather than providing relief on the basic rate. As my right hon. Friend the Chief Secretary said, that relief provides in a full year about £1 billion extra assistance for those who pay tax at the lower rate.

I move on to table A.11 of what my right hon. Friend referred to as the Red Book. It is no longer the Red Book, but I do not want to be pedantic. Perhaps it is a book of many colours. The tax reductions that are given legislative form by the Bill amount to perhaps slightly more than £3 billion in this financial year. That is not an insignificant amount to put back into the economy when the outlook for the global economy—I do not think that there is any dispute about this—is looking less certain.

Such a sum, together with the public expenditure increases for the next three years announced in the autumn by my right hon. Friend the Chancellor, should, apart from the intrinsic merits of spending that money, provide a welcome cushion for the British economy if the world economy, especially the economy of the United States, slides into recession. It is to be hoped that it will not, and that there will be merely a slow-down. The tax reductions, which amount to about £3 billion, and public expenditure will obviously help to cushion a global recession or slow-down, if there is one.

Those of us who are not directly concerned with business and commerce do not always realise the pressure that the global economy and global competition now put on domestic industry, especially manufacturing industry. That pressure also bears on some sectors of service industry that have to compete internationally. To maintain profit margins, costs must continually be kept down or cut and prices not be increased. Indeed, prices often must be reduced. That places tremendous pressure on industry and businesses.

As I see it—perhaps I should not say this—the problem is becoming not rising inflation but a falling rate of inflation. If the trend continues, there could be a fall in the general level of prices. That would take us into deflation, as may have happened in Japan over the past few years, where inflation has probably settled at zero.

I must be careful what I say because my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon), like me, was around in the 1970s, when inflation was high. Having been around at that time and in the early 1980s, when inflation was also high, I do not find an inflation rate of 1.9 per cent. worth worrying about. I worry slightly that perhaps we should have a higher rate of inflation. I do not know how the harmonised European figures are meant to apply to Britain, but they suggest that our inflation is about 1 per cent.

I am not particularly worried about a rate of inflation of 1 per cent. As someone who was around in the 1970s, I am amazed at how rapidly over a fairly short time—10 or 15 years—the level of inflation has fallen from the high levels of the 1970s to 1 per cent. or 1.9 per cent. Many people will claim credit for that, but most is claimed by that worthy group of people known as the central bankers, who could be described as the high priests of monetary policy. The past 10 years constitute the decade of the central bankers, who have peddled their ability, expertise and prudence in monetary policy. They maintain that its mysteries are best left to the high

[Mr. Davies]

priests because they approach such matters with clean hands, unsullied by the grubbiness and self-seeking of democratic politics and politicians.

As I have said that I do not worry about inflation, I might as well say that I do not believe central bankers. I do not believe that central banks or monetary policy had much to do with the sharp fall in inflation in the past 10 to 15 years. It was caused mainly by forces that are outside monetary policy. Many factors contribute to intense global competition. They include the reduction in tariff barriers—in many cases, their elimination—and the working through the system and elimination of controls and regulations, which perhaps date from the second world war. We are now in a position that is similar to that before the first world war. There is complete freedom of movement of capital, and money can move quickly and easily from country to country. There has been an immense advance in technology, which is easily transferred to developing countries. That enables them to compete with countries that are described as more developed than they are.

The fall of the Berlin wall, the break-up of the Soviet system and the intensification of competition that that caused also affected the global economy. Countries that were on the other side of the iron curtain are now trading in the same way as western countries. All those factors have driven down costs and prices through the intensity and universality of competition.

The fall in inflation therefore has little to do with central bankers and monetary policy. Indeed, my impression is that central bankers are, to use an American phrase, behind the curve. The Federal Reserve and the European central bank are behind the curve. Indeed, our much revered Monetary Policy Committee seems to take decisions on last month's figures and not on what it believes might happen in future. The Federal Reserve is not merely behind the curve; although it is supposed to be independent of Government, it is not independent of Wall street. Mr. Dow Jones frightens the living daylights out of Alan Greenspan, who is the Caiaphas of the high priesthood of central bankers.

We get wonderful language from the Federal Reserve; some time ago, the chairman criticised Wall street for irrational exuberance. Let us leave aside the philosophical question of whether exuberance can be rational. Given that it was irrational, rational language, debate and argument from the chairman of the Federal Reserve would do no good. It did not. He was frightened to do anything because he did not want to upset Wall street. He was following the bubble upwards, and presumably hoping that it would burst itself so that the Federal Reserve would not get the blame for the consequences, which are now occurring.

The asset bubble, whether comprising shares in America, property in Japan and, on a lesser scale, property and shares in Britain, appears, paradoxically, to be a consequence of low inflation. Investors and managers have never adjusted to a world of low real income returns, and they therefore look for bubbles and capital assets to supplement or prove their existence.

Even if we accept that the central bankers managed to decrease inflation from very high levels, once it is down to 1 per cent. or 1.5 per cent., they are out of a job. Central bankers are not needed when we approach zero inflation because they cannot do much. A 0.5 per cent. or 1 per cent. cut in interest rates when rates are 5 per cent. and inflation is 1 per cent. or 1.5 per cent. is hardly likely to have an effect. We fear that global competitive pressures will push prices down, and no amount of interest rate reductions by central bankers will have much effect.

Mr. Letwin: The right hon. Gentleman is presenting an interesting argument. To the extent that falling prices are generated by competition and technology rather than excessive monetary restraint, why does he believe that that is bad?

Mr. Davies: It is not bad up to a point, Lord Copper. However, it is bad when inflation reaches zero and general prices start falling. I believe that capitalism needs some inflation. A deflationary position, whereby general prices fall, creates enormous problems for businesses and manufacturing industry, especially in Britain.

Mr. Edward Davey: If growth in the real economy is strong and unemployment is down, does it matter if monetary variables are falling?

Mr. Davies: It matters if prices fall. A good example is the steel industry. The problems in the steel industry in south Wales are created by the falling international price of cold-rolled coil. It has fallen to a point where it is not possible for the British steel industry to make a profit in many areas of Britain. Somebody else may make a profit somewhere else in the world, but not the British economy. Japan has a different sort of economy, but it showed the dangers of general price deflation.

We are therefore back to good old fiscal policy.

Mr. Letwin *indicated dissent.*

Mr. Davies: I can understand why the hon. Gentleman shakes his head because he is a creature of the 1980s fashion that fiscal policy is bad and monetary policy is good. He now nods, but in economics, fashion changes, and it is beginning to change now. Fiscal policy is again beginning to become more important than monetary policy.

I welcome the Bill for two reasons: the merits of the different tax changes, and because some money, including public expenditure money, will be put back into the economy. Four years ago, we handed over monetary policy to the Bank of England, but perhaps fiscal policy will come into its own again. Monetary policy will not solve the real problems in the world economy: falling prices, with which the Federal Reserve, the European central bank and the Bank of England cannot deal.

I am glad that the Chancellor introduced the Bill, that he has not put all his trust in central bankers and that perhaps fiscal policy will again become fashionable.

6.19 pm

Mr. Edward Davey (Kingston and Surbiton): It is a privilege to follow the right hon. Member for Llanelli (Mr. Davies), but I must take issue with some of the economic points that he made. The previous group of academics to claim that monetary policy was ineffective were extreme right-wing economists who believed in the

hypothesis of rational expectations and that macro-economic policy had little effect on the actions of private agents in the economy. It is unusual to hear someone from a different wing of the political spectrum presenting the same argument. Although I agreed with the right hon. Gentleman that, in certain circumstances, fiscal policy can be effective, nowadays monetary policy undoubtedly has by far the greater impact, particularly in the short and medium terms, on the economy—it has the greatest impact on aggregate demand in the economy.

The right hon. Gentleman gave an interesting historical analysis of economic trends, but I refer him to periods in the early 20th century and in the 19th century, in this country and other advanced industrialised economies, when prices fell during strong economic activity. The idea, therefore, that one cannot have both deflation and strong economic growth does not hold up to historical analysis. It is to be welcomed when prices fall. My constituents certainly like to see prices go down when they go into shops to buy the services and goods that they need.

The Finance Bill is unusual compared with other Finance Bills, for three reasons. First—it is quite a serious reason—there is no report from the Select Committee on the Treasury to accompany the Second Reading debate. In the past—I checked the record—the Select Committee has published a report, which helped proceedings in the debate. The reason we do not have a report is, I believe, that there is some disunity among members of the Select Committee, which I regret. We felt that the report would probably not be unanimous. There was no report last year; that has been repeated this year. However, we have the benefit of the evidence—to which I shall return, because there are some interesting nuggets there for colleagues to consider.

Secondly, the Finance Bill is relatively short compared with previous ones, at least in the recent past. This time last year, we were dealing with a Finance Bill with 558 pages which ended up having 597 pages. However, this Bill is still far too long. It is 292 pages long—much longer than most Finance Bills, even in the 1980s. That worries me. If the Government are trying to sweep up before a general election and not put a heavy Finance Bill before the House, and they still come up with a Bill of 292 pages, I am extremely worried for the future. It should have been a very short Bill.

Either Ministers are intent on continuing to hound business and the private sector with too much tax legislation, or they are not in charge of their civil servants, who are putting forward far too many schemes, which Ministers are not throwing out. Nevertheless, the Finance Bill is unusually short compared with recent attempts.

Thirdly, as the hon. Member for West Dorset (Mr. Letwin) said, the Bill is relatively uncontentious. Most of its contents, with the exception of the aggregates levy, are relatively uncontentious, but we will judge the Bill not just by its contents, but by how it deals with the wider issues that are affecting this country—the big picture issues.

Before I come to those, I want to relate a serious matter to the House. I hope that Treasury Ministers will go away, check the record and have an answer ready for the winding-up speeches. I believe that the Chancellor of the Exchequer misled the Select Committee on the Treasury when he gave evidence on 20 March. He was being questioned by the hon. Member for Bury St. Edmunds (Mr. Ruffley) about the tax burden; it is something to which he returns assiduously. In reply, the Chancellor said:

> "The facts in the Red Book are accurate; but I am pointing out to you that, as far as the inherited situation was concerned, the tax burden was due to rise to 38 per cent."

He was referring to the Conservative figure published in the November 1996 Red Book.

I was interested in that, so I asked the Chancellor to confirm that the 38 per cent. figure was

> "calculated on the same basis as the figures in the Red Book".

The Chancellor replied, "Yes." I went back to him again and asked:

> "On exactly the same basis?"

He replied, "Yes." However, I have checked with the House of Commons Library and it appears that the 38 per cent. figure was calculated on a different basis from the figures that appear in the Red Book.

In November 1996, when the Conservative Government said that the tax burden was due to rise to 38 per cent.—I think that it was 37.9 per cent. to be precise; perhaps it was 38 per cent. in the following year—the European system of accounts 1995 was not operating. The ESA 1995 was introduced in 1998 by the Office for National Statistics. If we recalculate the figures in the November 1996 Red Book and adjust the tax burden figures, we get a very different tax burden—it is considerably lower. The reason why it is lower is that, under the ESA 1995, money GDP was raised by around 2 per cent; so the figure that the Chancellor quoted to the Select Committee was not calculated on exactly the same basis as the figures that appear in the current Red Book. I hope that Ministers will check that and apologise to the House if I am right.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I appreciate that these are complicated matters and that they are, to some extent, matters for debate, but I think I heard the hon. Gentleman say that the Chancellor had misled the House or the Committee. He should not use those words.

Mr. Davey: Of course I withdraw those words if they were incorrectly used, but I understood that there was, shall we say, a discontinuity between the words in the record and the analysis that I was offering the House. I hope that Ministers can try to correct it.

I go on to the big picture and how we should judge the Bill. The Liberal Democrats believe that the Bill fails to provide the extra resources needed for our schools, hospitals, police and pensioners. My hon. Friend the Member for Truro and St. Austell (Mr. Taylor) set out those needs on 13 March in the House. I shall not repeat everything that he said, but he made some pertinent remarks, particularly about schools, hospitals and pensioners, why they need extra resources and why the Budget and the Bill fail to provide those extra resources.

In my constituency, class sizes in secondary schools have gone up to record levels—levels not seen since 1973. Despite some increase in capital spending, for which I give the Government credit, there is still a huge backlog of repairs. I give one small example to Ministers. In St. Mary's primary school, Chessington, three outside

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classrooms are still extremely cold in winter and far too hot in summer, and they still do not have lavatories. They are not yet included in any refurbishment plan, for replacement by permanent modern buildings. There is therefore still a backlog of repairs.

There is a huge teacher shortage in my constituency, too. Whether we talk to a primary or a secondary head teacher, the message is still the same. They are having real problems recruiting staff. That means that there are sometimes no teachers in front of classes.

In my constituency, there is a huge problem with hospital bed shortages. In recent months, there has been a large increase in admissions to the accident and emergency unit. The hospital authorities have tried their best. They have put beds in seminar rooms and closed the day surgery in order to use the beds for overflow from A and E, but there has still been a huge increase in the number of overnight stays. They have gone to a hospital nearby, Tolworth hospital, and, following some suggestions from me and others, managed to open a ward temporarily. They did that because they needed intermediate care beds. In my constituency, nursing homes have closed and the number of care beds has reduced significantly. That has caused a huge problem for the hospitals. We need to tackle those bed shortages. Recently—I think last week—the British Medical Association produced a survey to that effect.

There are huge shortages of general practitioners and a lack of medical students applying to train in consultancy and general practice. Those are the problems. It is interesting to note that one of the key problems generally in the public sector is a shortage of staff. Whether it is in the health service, schools, police or other public services, there is a significant shortage. The Budget contains some measures to deal with those problems, but it does not go far enough, particularly in relation to London and the south-east, where the problems are particularly acute.

As my hon. Friend the Member for Truro and St. Austell said, in this Parliament, private sector wages have increased by an average 15 per cent. whereas public sector wages have increased by only 10 per cent. Therein lies a huge problem. Until we tackle it and make it clear that we value our public sector workers and provide them not only with financial rewards but with status, those shortages will continue to undermine attempts to modernise our public services.

The Bill also does not provide the resources necessary to ensure fairness to pensioners. Although there have been increases in the minimum income guarantee, as we know, many people do not claim the guarantee. The latest figures show that more than half a million pensioners who are entitled to the minimum income guarantee do not claim it. That fact demonstrates the problem with the Government's overall strategy for tackling pensioner poverty. If Ministers continue solely down the route of means testing and do not increase the basic state pension, pensioners will continue falling through the holes in the safety net and not receive the money that they desperately need.

Hon. Members talk about prices decreasing, but many pensioners face increasing bills. Their council tax bills, for example, are certainly not being reduced. In just three years—since 1998, when they started running Kingston council in my constituency—the Conservatives have pushed up the average yearly council tax bill from £700 to £950. Pensioners in my constituency have to pay those tax increases on low increases in the basic state pension.

Mr. Howard Flight (Arundel and South Downs): Is not the increase in Kingston's council tax due to changes in the sums provided by central Government? I think that the hon. Gentleman will find that real spending levels are much the same.

Mr. Davey: I am grateful for the hon. Gentleman's intervention. He is indeed right that part of the increase is due to the Labour Government's failure to provide a decent grant settlement to the royal borough of Kingston. I have to tell him, however, that it is due also to the incompetence of the current administration, which has wasted money and failed, for example, to collect parking charges to which it was entitled.

Mr. Deputy Speaker: Order. We are going rather wide of Second Reading of the Finance Bill.

Mr. Davey: I am grateful for your warning, Mr. Deputy Speaker.

I was describing how the Finance Bill does not deal with the needs of pensioners. Pensioners in my constituency tell me that they are also worried that, should they become frail in their later years, they will not receive personal nursing home care. The Government have not provided any measures in the Bill to ensure that personal care is free for elderly people in nursing homes. I believe that that is a major error. The Bill does not provide the necessary funds.

When the Chancellor did appear before the Select Committee on the Treasury, I was very worried because, in his evidence, he seemed rather complacent about some of those issues. I asked him three times to provide figures on health spending, particularly the Government's average spend, in this Parliament and in the previous Parliament, on the national health service as a percentage of national income. He told me twice that he was about to give me the figures, but of course failed to do so. However, the figures show that, on average, in the previous Parliament, 5.5 per cent. of national income was spent on health, whereas, in this Parliament, 5.4 per cent. is being spent on it. In this Parliament, therefore, the average resources that the Government are providing for the health service have decreased. I think that the Chancellor's failure to defend his record on health spending said it all.

The Chancellor was also rather economical with the truth on education spending. Although he told us his plans for the future and the figures that he hopes to deliver, as we have seen before, he often does not meet his spending targets or spend the money that he says he will spend. He did not reassure us.

Mr. Donohoe: Can the hon. Gentleman give us one example of the Chancellor not delivering on his promises?

Mr. Davey: Indeed I can. In evidence to the Treasury Committee, Treasury officials told us that, this year, based on their initial assessment of spending plans, spending Departments are already underspending by £1 billion.

That is a concrete and classic example in which the Chancellor promised us that he would spend a certain amount but Departments are not spending it.

The Chancellor failed to examine his own record on education and admit that, on average, under his stewardship in this Parliament, we have spent less on education as a proportion of national income than was spent in the previous Parliament. Liberal Democrat Members therefore very much regret this Budget and its accompanying Finance Bill. Although it is not what the people of this country want, the Chancellor has chosen to put tax cuts before spending increases. Some people believe that, by putting tax cuts before investment and public services, new Labour is acting more like the Conservatives.

The Bill fails to address another big picture issue which, to his credit, the hon. Member for West Dorset has started to address—the economic consequences of foot and mouth. It is a major issue both for the individuals, regions and sectors affected by it and for the economy as a whole. The outbreak is devastating for those individuals and their livelihoods. In the past few weeks, the House has heard many examples demonstrating that fact.

We also know that foot and mouth is proving to be highly damaging to certain regions and sectors. The House may be surprised, however, to learn of the effects of the outbreak on businesses in my constituency, which has some farms although not very many. One example demonstrates the knock-on effects of foot and mouth. I quote it not to belittle the effects of the outbreak on the tourism and agricultural sectors, but to demonstrate the breadth of its knock-on effects.

The example is a shop in my constituency called Kosmic Kites, in Surbiton. This month, in a letter to me, its proprietor Mr. Paul Hankin wrote:

"I write out of desperation, as my Business appears to be falling apart due to Park and Public land closures . . .

My shop has been trading for 9 years, last year was the most successful so far, and all the signs were that 2001 would be even better";

but

"since Park closures my takings have fallen by 85 per cent."

That business, which was built up over years, is not in one of the sectors that we usually associate with damage from foot and mouth, but it is still being severely damaged by the outbreak. It demonstrates the seriousness of the situation.

There is a wide variety of assessments and forecasts of the effects of foot and mouth. Very recently, the Centre for Economics and Business Research argued that it would result in a 1 per cent. decrease in GDP, costing the economy up to £9 billion. However, that may have been one of the more exaggerated and alarmist forecasts. Other forecasts have said that the effect on GDP could be as low as a 0.1 per cent. However, I have read various analysts' forecasts, and the most persuasive one comes from Goldman Sachs. Although Goldman Sachs states that it is difficult to make an estimate—because of factors and uncertainties regarding the length of the outbreak; a substitution effect in which people spend money in shops and urban areas rather than in the countryside; whether people will go on foreign holidays or delay domestic holidays; and the short, medium and long-term effects on the public's perception of visiting the countryside—it predicted that, this year, foot and mouth would have a 0.3 per cent. negative effect on growth. However, its more extreme forecast suggests that GDP will be affected by as much as 0.6 per cent. If that worst scenario materialised, an awful lot of jobs and businesses would be lost. Foot and mouth is having a major effect, and it could have a disastrous effect on economic growth this year.

Clearly it is the Government's job to take action on foot and mouth. I think that everyone will agree that disease control is a public good that cannot be left to the private sector. The control of disease has benefits for the whole of society, and the Government have a duty to act to control it.

An interesting paper by David Harvey, from the Centre for Rural Economy, was published last month, entitled "What Lessons from Foot and Mouth? A Preliminary Economic Assessment of the 2001 Epidemic". It is necessarily very preliminary. It says that the benefits of being free of the disease are probably worth £1.2 billion a year. There is a huge economic benefit to getting rid of the disease quickly, so the Government must do everything that they can.

The Government have introduced business rate relief on loans to those who are struggling, but we feel that they should go further. I hope that they will seriously consider some of the proposals from the hon. Member for West Dorset on VAT, for example, in a cross-party way. The Liberal Democrats intend to make other proposals. For instance, it would be possible to extend carry-back of trading losses from one year to three, to help businesses now by allowing them to offset current losses against profits made two or three years ago so as to get a tax repayment in the coming year. It is about the timing of relief against losses. The Bill gives us an opportunity to help to tackle the financial problems that businesses face because of foot and mouth.

A macro-economic issue that is no longer entirely in the Government's hands, but is important in tackling the economic consequences of foot and mouth and dealing with the problems caused by the slowdown in the United States of America, is the policy on interest rates and the exchange rate.

Mr. David Heath: Does my hon. Friend agree that my hon. Friend the Member for Northavon (Mr. Webb) was right to say earlier today that there is a strong argument that the compensation payments given to farmers whose stock is culled to allow them to restock later should not be treated as a liquid asset for either taxation or benefit purposes, because that militates against sole traders in desperate straits getting the support that they need?

Mr. Davey: Yes. That is pertinent to this debate, because we could use the Bill to introduce measures to tackle the problem. I hope that the Paymaster General will respond to that point.

The US slow-down, combined with foot and mouth, has had a serious effect on aggregate demand. We look forward to the Monetary Policy Committee reducing interest rates. I support an independent central bank, and believe that its independence should be guarded jealously, but it is right for us, as constituency Members, to send signals that we believe that the economic situation on the ground is deteriorating significantly enough to warrant interest rate changes.

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[Mr. Davey]

Monetary policy needs to be directed towards helping agriculture, manufacturing and tourism, which were already suffering before foot and mouth and the US slow-down. The high exchange rate was already hitting those sectors extremely hard. Some of the weakest sectors in our economy are being hit yet again. The simplest and quickest way to relieve these problems would be for the committee to take action on interest rates, and we hope that that would also affect the pound.

This is not the Bill that Britain needs. It does not secure the finances that our public services need; it puts tax cuts before investment in our health service, schools and police; and it fails to deliver imaginative proposals to deal with the foot and mouth crisis. We needed a different Budget to tackle large class sizes, long waiting lists, police shortages and pensioner poverty. The Liberal Democrats will continue to campaign until we get those changes.

6.45 pm

Mr. David Borrow (South Ribble): I am very pleased to be taking part in this debate. I look back to Finance Bills since 1997. In April 1997, people in my constituency asked me how a Labour Government could deliver better public services and pensions, when the Conservative Government had been running a deficit of more than £20 billion a year, costing each man, woman and child £500 a year. They were sceptical about the notion that, in those circumstances, a Labour Government could hope to boost public services, improve the lot of pensioners and look after the disabled.

I remember many a time on the doorstep explaining to people that the Government's strategy was to reduce the cost of failure by reducing unemployment and getting more people into work, so that more were paying taxes and fewer claiming benefits. That strategy, based in large measure on the new deal and on careful management of the public finances in the first two years, has delivered what we promised four years ago.

Unemployment has dropped by about 500,000 or 600,000 and the number of people employed has increased to a record level, by 1.2 million. That in itself has transformed the public finances and made the space to provide extra resources for public services. The fall in unemployment in just about every constituency has been mirrored in mine, where the rate is now about 1.5 per cent. In 1997, 1,534 people in South Ribble were unemployed; by this February, the figure had dropped by 42 per cent., to 883.

Last Friday, I attended a business breakfast at Runshaw college in my constituency, where the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Barking (Ms Hodge), was guest speaker. It was the 13th business breakfast that I have attended since being elected. The basis for the discussions was not the problems that were raised in the past about how companies would survive and how we could avoid making people redundant; the focus was on how to ensure that we have a sufficiently educated, skilled and trained work force to do the jobs that need doing.

The problem for many companies in my constituency is in recruiting the skilled work force that they want. We need to invest in education and training through greater public investment, rather than looking for more tax cuts in the immediate future, which would do nothing to help to provide the work force that companies in my area need.

Two major manufacturing companies in my constituency have greatly increased their work force since 1997. One might be surprised that either of them, especially Leyland Trucks, was able to do so. In 1997, Leyland Trucks employed 600 people making trucks. Given the weakness of the euro in the past few years and the trading position, the market is difficult, but the company has increased its work force to 1,000 in four years and achieved success in the climate created by the Labour Government in that period. Schwann's Pizzas has benefited from major investment and increased its work force considerably; it is probably now the third largest employer in my constituency.

My answer to people who talk about whether the Government have spent enough on public services and whether they should spend more is that we need to get the fundamentals right. We must ensure that people have jobs and that companies prosper if we are to make space in the public finances for further investment.

I listened with interest to the hon. Member for Kingston and Surbiton (Mr. Davey), who talked about the Labour Government's failure to invest in services. Since Christmas, I have visited more than 20 schools in my constituency. The head teacher of virtually every school had the same message: investment is coming through to education; there are more classroom assistants and computers; extensions are being built; and modernisation is taking place in many schools.

I shall give a few examples of the new buildings and extensions that I have seen in the past few weeks. Tarleton high school has had a major extension and benefited from more than £0.5 million of investment in its new Ribble building. When I visited Little Hoole county primary school a couple of weeks ago, a new classroom was being built. A week ago last Friday, I visited St. Catherine's Roman Catholic primary school and had the pleasure of cutting the first sod prior to a two-classroom extension. Last week, I visited the Church of England primary school in Tarleton, which had just completed the erection of a new classroom. A couple of months ago, I visited Cop Lane Church of England primary school in Penwortham, which has a new hall. Those small schools have received major investment and can see the difference that a Labour Government make through investment.

Mr. Jack: Will the hon. Gentleman give way?

Mr. Borrow: I am always happy to give way to the right hon. Gentleman.

Mr. Jack: If life is so good, will the hon. Gentleman explain why pupil numbers are now at 1,800 in Lancashire's largest comprehensive school in my constituency, which desperately needs a new school hall because only 350 pupils can take school dinner at one time? Can he also explain why the head teacher tells me that he does not have sufficient resources to introduce the new sixth-form curriculum properly?

Mr. Borrow: The answer to that—which also applies to Woodlea primary school and Balshaw's high school in my constituency, where major investment is still

needed—is that, after 18 years of a Conservative Government who did not invest in school buildings, there is a huge backlog of building work and repairs. My constituents, like those of the right hon. Gentleman, need the continuation of a Labour Government, who are pledged to maintain investment in education.

Let me turn to a different area—health, which has already been mentioned. The four hospitals that serve my constituency—Ormskirk and District general hospital; Southport general infirmary; Chorley and South Ribble district general hospital; and the Royal Preston hospital—have all had major investment in the past four years. I am arguing strongly for further major investment in Chorley and South Ribble district general hospital, because the Government have allocated more than £1 million of investment in renal services for the north-west. South Lancashire, which includes South Ribble, has the worst renal services provision in the north-west. Together with my colleagues in south Lancashire, I am making a strong argument for investment in Chorley and South Ribble district general hospital so that it can set up a dialysis unit. If we are successful, that major investment will have resulted from the fact that the Labour Government have a proven Budget approach over the past four years, have got the economy going well and have created space in the public finances to invest in improved public services. We should all welcome that.

A few moments ago, I mentioned the business breakfast that I had at Runshaw college, a further education college in my constituency. Bernard O'Connell, who runs the college, told me that it was receiving significant new investment and would shortly open a second campus in the constituency of my hon. Friend the Member for Chorley (Mr. Hoyle). I was told that the new campus would be dedicated solely to mature students and that the college was seeking to expand the number of graduates whom it educates from 300 to 1,000. Again, that fits in with the need, which I mentioned earlier, for better education and training for the work force in my area if we are to compete successfully in a competitive economy, which my constituents wish to do.

Let me touch briefly on the comments on pensions made by the hon. Member for Kingston and Surbiton. In 1997, his party's manifesto, in a similar fashion to those of the Conservative and Labour parties, pledged to increase the basic pension by the rate of inflation. However, the Liberal Democrat manifesto added that, if extra resources were available, they should be targeted on the poorest pensioners. The Government have done that through the minimum income guarantee. Occasionally, it would be nice if Liberal Democrat Members congratulated the Government on finding those extra resources to ensure that, as from this month, a single pensioner in my constituency will have a minimum income of more than £92, compared with £68 four years ago. That significant change has been brought about only by the fact that we have a Labour Government.

A few moments ago, I mentioned that one argument that we had in 1997 was about the new deal, a programme opposed by both Opposition parties. Even for a constituency such as mine, which has low unemployment, the new deal is a not insignificant factor in its development. A new partnership has been set up in Leyland to create a Tesco store that which will employ about 300 people. The partnership involves Runshaw college, the Union of Shop, Distributive and Allied Workers, Tesco and the local authority. It will mean that 300 people will be taken off the long-term unemployed register, trained at Runshaw college and, at the end of their training, provided with jobs at the new Tesco store, when it is built. Three hundred jobs out of an unemployment total of 885 will virtually wipe out any remaining unemployment in South Ribble. The partnership seeks to train and develop those with the lowest employment skills, so it is targeting those who most need that. As I said, my constituency has skills shortages, but it needs schemes to bring people without skills into the labour market.

A significant amount of the discussion at the business breakfast on Friday morning was about the measures that the Government need to take, not simply to reduce the number of unemployed but to bring people into the employment market in the first place. We discussed a range of measures that were needed to provide better child care support and better help for disabled people to bring into the labour market those who are currently excluded from it. When there is a tight labour market, we need to look at ways in which we can give people who feel that they cannot get a job the right training and education to go for those jobs, and receive the right back-up.

I welcome the measures to reduce VAT on church repairs. I have received representations from my constituency, in particular from St. Andrew's church in Leyland. Those concerned will be pleased by the Government's response.

I also wish to refer to the welcome measures to introduce a tax credit for the development of vaccines, particularly in connection with TB and the AIDS epidemic. That is a useful development. When I was in Uganda last summer, I saw the impact of the Government's debt relief proposals, through the heavily indebted poor countries programme, on improving education and health provision in that country. That is particularly important in assisting in the battle against AIDS.

The Bill mentions discussions with pharmaceutical companies about making drugs available more cheaply to the developed world. It has long been my view that, when drugs are developed by major pharmaceutical companies, they are targeted at the developed world. The business plan assumes that the companies can make a profit and cover their costs on the basis of charging high prices in North America and western Europe. Those companies should be able to supply drugs at cost price to the poorest countries of the world, without provision for the cost of development. They would not be selling the drugs to those countries at a market price—the same price at which they would sell them in western Europe or North America.

South Ribble is a semi-rural constituency and I have raised with MAFF and the Treasury the issue of the climate change levy and its effect on the horticulture industry. I recognise that we have won half the battle by getting a 50 per cent. discount. I recognise also that Ministers are unlikely to agree to an increase in that 50 per cent. discount at this time. However, the big increase in gas prices has added a burden to the horticulture industry. Ministers must closely monitor the situation, given those factors and their effect on the glasshouse industry. While the 50 per cent. discount was welcome, it may not be sufficient to ensure that the industry can compete with others in western Europe.

[Mr. Borrow]

Last Friday, I attended a meeting of Labour party members with the Minister of State, Cabinet Office, my right hon. Friend the Member for Makerfield (Mr. McCartney), and we discussed the foot and mouth outbreak. Many of the people who were there remember the devastation of the closures of pits, steelworks and shipyards and, in my constituency, the collapse of Leyland motors and the high level of unemployment that resulted. They remember also the failure of the then Conservative Government, during the late 1980s and early 1990s, to do anything to alleviate those difficulties or to assist the dozens of small firms in my constituency who suffered as a result of the collapse of major employers.

At that point, it did not seem to be part of the Tory agenda to assist individuals and companies in distress. That may be the Conservative way. Whatever failure occurred under the previous Government, the Labour Government should be prepared to use the prudently managed public finances of the past four years to assist the rural economy and those areas—particularly Cumbria—that are suffering greatly. That does not require an amendment to the Bill, but a willingness to use part of the Budget surplus to assist the rural economy.

7.5 pm

Mr. Ian Taylor (Esher and Walton): The hon. Member for South Ribble (Mr. Borrow), who came in at the last general election, did not pay due tribute to the fact that economic growth in this country—which has delivered some of the benefits that the Government have attempted to give to his constituency—actually started before 1997. There was a pre-1 May 1997 history and, in terms of economic growth, the Government took over considerable benefits.

The Government are near the end of their first term. To be truthful, I see this Finance Bill as a fag-end Bill. It has none of the gusto and excitement of a Government who expect to be re-elected, yet many Labour Members think that that is a possibility. However, it does not show any of the radical drive and determination that would make the House sit in awe, saying, "My goodness—what a Government! What are they going to do in the next Parliament if they get back in?"

This is a tired Finance Bill, very much lacking in ingenuity. That is, of course, why most of this Second Reading debate has been about anything other than the Finance Bill. Hon. Members have talked about the economy, or about what the Bill might have contained had the Conservatives had the opportunity to write it. I know that your generosity of spirit is enormous on these occasions, Mr. Deputy Speaker, and I hope that it will extend to me as well.

There was controversy in each of the Finance Bills that I have experienced after coming to the House in 1987. This is the least controversial of them all. However, some of the policies behind it—the Government's policy on tax and spend and their broader macro-economic judgment—involve some interesting and controversial issues.

The Government had the real misfortune, as the Chief Secretary said in response to my intervention, of having written the Budget before the economic climate began to change. The foot and mouth problem is immense, and I do not blame the Government for not taking that into account in their economic judgment. Nevertheless, it needs to be considered in terms of the tax and spend measures announced in the Budget, and particularly in terms of whether the fiscal balance reflected in the Finance Bill is the right one.

Economic confidence in the United States has almost fallen off the cliff, which is obviously having a big effect on US growth projections. That is bound to have a knock-on effect on us. The United States has been living beyond its means for a long time. We tend to be tolerant about that, because the US economy has undoubtedly been successful. However, its deficit and its desire to suck in funds from the rest of the world to cover economic difficulties could be put at risk during this year.

If American interest rates fall and the Fed decides, for domestic reasons, that it must cut interest rates, there could be a point at which—even if the dollar is regarded as a safe haven at a time of economic concern—investors in the United States may hold back or withdraw.

In those circumstances, the Americans would suddenly find that they had to put their own house in order. They would also find that the rest of the world would be that much more sympathetic if the American Government stopped behaving as if "America First" were the only policy that they could adopt. President George Bush has had an inauspicious beginning to his period as President. As a Conservative, I am almost tempted to say, "Come back Al Gore, all is forgiven" but I will suspend judgment. However, I should draw attention to the fact that the American President has decided that the word "compassionate" never appeared in his manifesto.

Other factors affect the domestic economy. The Chancellor will have carefully to reconsider some of his assumptions. For example, a rise of £5.7 billion in corporation tax revenues is predicted in the coming year. However, such buoyancy of corporation tax revenues may be delayed, or a thing of the past. Most of the companies now reporting are certainly reporting sharply lower profits.

In the overall Budget, there is always too little emphasis on the state of our home market, by which I mean not the United Kingdom, but the European Union. The 2000 trade figures from the Office for National Statistics should always be borne in mind when we discuss our domestic position. Some 57 per cent. of UK goods exports go to the EU, and only 16 per cent. to the United States. Some 54 per cent. of those exports go to eurozone countries, and more than half our total trade in goods is with the eurozone, while the United States accounts for 14 per cent. More than half our total trade in goods and services is with the EU.

It is highly significant that the 12 countries in the euro represent, in population and in other ways, 80 per cent. of our home market. That sector of our home market has a single currency, and a higher-than-tolerable sterling value causes difficulties for our jobs market and results in decline in our manufacturing base. The good news in the constituency of the hon. Member for South Ribble is welcome, but if we do not soon resolve the imbalance between sterling and the euro in our home market, our manufacturing industry will suffer even more. According to figures that I have seen, 83,000 jobs have been lost since the euro was introduced through direct or indirect association with investments from eurozone countries. That is serious, and we should watch the position closely.

The Budget statement did not draw much attention to that situation, and nor did it assess our position against the convergence criteria that the Chancellor has set for the euro. Perhaps we shall hear more about that on the first day after the general election.

The factors that depress domestic demand are important. The Institute for Fiscal Studies has said that if spending is to grow by more than GDP growth beyond 2003-04, further increases in taxes will be required. We heard earlier about the difference between monetary and fiscal policy, but fiscal policy is very important in a single monetary zone.

In both the single currency zone that is the United Kingdom and in the European monetary zone, Governments must recognise the importance of fiscal policy levers. Any party that wants to be in government must accept that the overall burden of taxation must sometimes go up and sometimes go down. There is no magic about the percentage of GDP that a Government should take in taxation at any given time: the point is whether the figure taken is the right one when the economy is expanding or contracting. We hear too much cant from both sides of the House about that. Everyone now accepts that we have given independence to the Bank of England, and we shall possibly give it in the end to the European central bank, too. We must understand that fiscal policy needs to be a good deal more energetic than it has been in the past.

Other factors will affect the Chancellor's ability to adjust taxation. We are increasingly realising the problems that arise from lack of tax harmonisation within the European Union. I am not, incidentally, arguing that there should be such harmonisation: I have already said that fiscal judgments should be made by Governments nationally, so that they may adjust to the economic circumstances of the time. My point is that there is a problem with holding the opposite view; if all judgments are made in isolation from what is going on in the rest of the home market, we shall have massive difficulties.

Excise duties provide an illustration of that point. Smuggling is one of our major growth industries. In brewing, the volume of smuggled beer equals the output of at least three British breweries. The figures are extraordinary. The cigarette industry also has huge smuggling problems, which the Government have not reflected in the Finance Bill. They have fiddled with excise duties but not tackled the fundamental problem of how to stop smuggling if there is a financial incentive for doing it.

Another matter for consideration in the European Union is value added tax. *The Daily Telegraph* today carries a story suggesting that there is a European Commission threat to our VAT flexibility. I am afraid that the story is yet another that has much more to do with that newspaper's policy objectives than with news reporting. In reality, the agreement on VAT—that there should be a minimum rate of 15 per cent. unless there is some dispensation—was made under the previous Conservative Government, who were much more shrewd than the reporters of *The Daily Telegraph* seem to recall.

There are many aspects for consideration within our home market. Perhaps because the Government do not want to be too exposed on the European issue, they constantly hold back from explaining to the British people the full facts of life. I admit that the Front Benchers of my own party sometimes do the opposite by increasing people's worries about the European Union, but I have never been entirely in line with their contemporary policy on Europe. Both sides must observe our competitive position in the EU while trying to ensure that we do not get so far out of line—as, for example, on excise duties—as to cause ourselves the kind of internal damage that arises from losses to the Treasury from smuggling.

The European central bank also needs to get its act together. Much more attention should be paid than seems to be paid by the current president of that bank to changing economic conditions. I hope that there will be an interest rate cut. However independent the ECB is, there is no reason why the UK Parliament should not send it a signal that it should cut its rates. We have no official Government or central bank representation on the ECB because we have not yet joined the euro, so I must hope that the voice of a humble Back Bencher—and an Opposition one at that—may be heard.

Let me turn to the detail of the Finance Bill. The climate change levy is touched on, somewhat abstrusely, in clause 103. I wish that that had been examined in much more detail. I shall not go into the arguments about its overall purpose: there is no doubt that reducing emissions is a vital objective. Whether that is best done, however, by giving incentives for technological adaptation or by a levy is a matter on which I am much more comfortable with my own party's policy.

I want to mention Air Products, a company in my constituency. Incidentally, and just to raise a competitive edge, I should point out that the chief executive of British Oxygen is a constituent of mine, but now I want to discuss the position of Air Products. The Government simply have not listened to the arguments of the industrial gases industry about the unfair and damaging impact of the levy. The separation of air into oxygen, nitrogen and argon by cryogenic distillation is the most energy-intensive process in the country. It is much more so than chlorine production and aluminium smelting, but they have been exempted from the levy. The process does not pollute the environment, so it is not covered by the regulations that the Government have insisted on as the criteria to define those processes that are eligible for an 80 per cent. discount.

Air Products challenged the Government by arguing that air separation is a chemical process, as defined in paragraph 17(a) of the eligibility table in paragraph 51 of schedule 6 of the Finance Act 2000, and that it should thus be allowed to enter the Chemical Industries Association agreement for the 80 per cent. discount. The company has provided written independent expert opinion from a professor of chemical engineering at Bath university that supports that interpretation.

The interpretation has been rejected and may be subject to a legal challenge, but I ask the Government to understand the consequences. Air Products has had to announce to its customers that, from 1 April, it will make a surcharge to recover the cost of the levy. That will have a further impact on the international competitiveness of industries such as chemicals and steel, and will add inflationary costs to the domestic sector in the food industry, in which liquid nitrogen is, of course, used for freezing, and in hospitals in respect of oxygen. I visited Air Products recently to open a combined heat and power plant—that is a small way in which the company can try to reduce its costs. However, I urge the Government to be

[Mr. Ian Taylor]

realistic about the issue; the knock-on effect for companies that use materials such as those provided by Air Products will be very serious indeed.

I have no interest in Air Products other than the fact that it is a constituency company. I have some separate business interests that are in the Register of Members' Interests. Given that the Finance Bill affects any company, I make that declaration for the avoidance of doubt.

I have some comments on something that is close to the heart of the Paymaster General: IR35. *[Interruption.]* Perhaps it is close to some other part of her anatomy, but if it is not her heart, I do not want to speculate too much.

There is still confusion about IR35 in the industry. The Government have done many good things—stimulating entrepreneurial spirit, trying to make the economy capable of accepting the inward investment of high-tech companies, and stimulating the high-tech industry itself over a longer period—so why oh why is IR35 still a blight on the landscape and causing confusion? The court case last week may have pleased the Inland Revenue in some ways, but it certainly added to the confusion. It took an 88-page document from the High Court even to try to clarify the existing position.

Dawn Primarolo: I am sure that the hon. Gentleman appreciates that in the case that was resolved last week, the court ruled in favour of the Inland Revenue on every count and leave to appeal was refused. It is important that proper dialogue now takes place. I hope that he and other hon. Members will support me in that. We have already written to the main body, the Professional Contractors Group. IR35 is the law of the land, but discussions about its implementation and the advice that is given would benefit enormously from the positive engagement of those who are still unhappy with it. I hope that he will agree and encourage others to engage positively with the Government on the matter.

Mr. Taylor: The Paymaster General is her usual winning self; I could not possibly refuse that encouragement. I hope that the PCG takes up her offer.

There is definitely a need, however, to achieve a clearer understanding, in all circumstances, of what constitutes an employee. Accepting that IR35 is the law of the land, it would none the less be better if we could obtain that clarification. There is frustration out there—in what are broadly described as the knowledge-based industries—that IR35 is still a problem. I have heard the Government referred to as a sales prevention agency; they are certainly a job confusion industry when it comes to IR35. The Minister of State, Home Office, the hon. Member for Hornsey and Wood Green (Mrs. Roche), rightly talks about changing immigration qualifications to bring in skilled workers, but many skilled workers in this country think that it might be easier to get jobs abroad. I stress that, even if the court was clear on the matter, some of the applications of IR35 regulations are less clear to people working in the industry. The Paymaster General should continue to be concerned about that.

I wish that the Chancellor had made better provision for inheritance tax. That may be a sensitive issue for Labour Members, but the inflation adjustment of the allowance for inheritance tax is not sufficient and needs radical review. Many people from all walks of life, in my constituency and elsewhere, feel trapped by the measure. It is important to send a signal that the trickle-down of wealth from one generation to the next is worth while. We should share that aim throughout the House; it is not something to be penalised. As always, the people who are most adept can better protect themselves from the ravages of inheritance tax than those who find, too late, that they have been caught by it.

I do not think that the Government have yet woken up to the fact that the damage that they did to pension funds through the changes to advance corporation tax continues to accumulate. All the good work—although I do not necessarily endorse the details—in encouraging people to take out pensions, such as the stakeholder pensions that have just come in, could be undermined by the apparent attack on pension funds.

This afternoon, I recalled that I had been rather far-sighted on that issue. I put the first question to the new Prime Minister after the last general election. I asked him whether pensioners would suffer damage from

"changes in advance corporation tax which he might propose."—[*Official Report*, 21 May 1997; Vol. 294, c. 703.]

He did propose those changes and pensioners suffered. The reality is that they are still suffering and the Government have not made up for the damage that was done.

On a related point, the Government could have taken up the constructive proposals on annuities that were aired because they would have benefited many pensioners.

I do not have time to go into many other small points. However, I increasingly come across a serious issue when I talk to pensioners in my constituency and elsewhere: it is one thing to bring in tax credits, but it is altogether different when the means-testing and all the other aspects—the reliefs, the clawbacks and the tapers—become so complicated that only professional advisers are capable of explaining them. Many people who should benefit from measures introduced by the Government simply do not have access to professional advisers, or have never taken professional advice; they may be reliant on citizens advice bureaux and similar organisations. I notice that Help the Aged described the system as "massively complex" and said that it involved "endless form filling". Will the Government please think about that?

The issue is serious. I do not necessarily attack the Government's right to use means tests, although I do not think that they are the correct way forward. However, introducing means tests creates obstacles for the people one most wants to help. So often, the people at the bottom of the pack are hit hardest. It is good that the lowest rate of income tax is 10p, but many people do not benefit from that because they pay no tax at all—they rely on benefits. I hope that the Government will take that on board.

In short, the Bill is a missed opportunity for a Government who want to appear radical and who expected further years in office. They could have taken up the constructive suggestions made by the shadow Chancellor to relieve savers from income tax, which would have been hugely beneficial, but which will now have to await the return of a Conservative Government. They could have given even more targeted help to pensioners. The Government could have helped those who

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are distressed by their great difficulty in understanding the tax system to obtain the benefits to which they feel that they are entitled.

Overall, I am worried about the Government's economic judgment. I am concerned that their public expenditure plans may require much more boosting from an increase in taxation than would be wise. The Government have more homework to do. On the specific issues that I raised, I hope that there is still time for amendments to be tabled in Committee. If they are drawn up in the terms that I have suggested, I am sure that they will be greeted with acclamation on the Conservative Benches.

7.30 pm

Mr. Brian H. Donohoe (Cunninghame, South): This has been a popular Budget, and I am sure that the Finance Bill will deliver. About 42 per cent. of the population believe that the proposals are good for them personally, but, perhaps more important, 52 per cent. believe that the proposals will be good for the country. Furthermore, 55 per cent. of the population think that the Chancellor is doing his job properly, although listening to the Opposition, people would not think that that was so.

The Government have done a great deal to help my constituents, and the Budget will deliver more for them. We have already heard about the proposal on the minimum wage, which is very important indeed—£4.10 is more than half as much again as those involved in the low-wage economy would have dreamed of in my constituency. Many of my constituents will benefit enormously from the increase in the minimum wage, but there is a problem: some charlatans in my constituency—and, I am sure, elsewhere—do not pay the minimum wage. I ask my colleagues to consider further policing of the minimum wage.

When a young trainee hairdresser in my constituency asked for the minimum wage, she was told that she would no longer have a job if she expected that increase. That is despicable, and the Government should ensure that that is not allowed to happen again.

In my constituency, 1,400 young people have benefited from the new deal, and more than 750 of them have entered full-time employment. Some 2,800 of my constituents have gained from the working families tax credit, which guarantees those in full-time work up to £214 a week.

The Budget behind the Bill builds on the progress that the Government have made since 1997. Under the children's tax credit, the hard-working families in my constituency receive £10 a week, and £20 for the first year of a child's life. It is good that those policies have been introduced in my constituency. There has been a £5 increase in the working families tax credit, which will guarantee £225 a week by October. The 10p tax band has been extended. Maternity leave has been increased from 18 to 26 weeks, and maternity pay will increase from £60 to £100 by 2003.

Most important, the Budget and the Bill will restore hope in my constituency, which the Conservative party neglected for a generation. In fact, a clear indication of just how well the Budget has been received is that the post offices in my constituency are now paying out almost a quarter more again than in previous weeks. That is a success in itself.

In 1993, more than 4,650 people were unemployed in my constituency. In the 1980s, the figure was even worse. The Tories have absolutely no idea of the misery caused by unemployment. We have heard about constituencies with unemployment levels as low as 1 per cent., but some areas of my constituency have unemployment levels of more than 50 per cent. and three generations of some households have not worked. That problem is being addressed for the first time in a generation, but the policies are still not penetrating my constituency as they should. For example, unemployment there is still 3 per cent. above the national average.

I have heard people argue that there is a north-south divide. That is certainly true, but there is also an east-west divide. The east of Scotland is overheating and there has been substantial job drift from west to east. Unemployment levels are 40 per cent. in some parts of my constituency, but across the whole constituency it is 8 per cent. However, it is as low as 1 or 2 per cent. in the east of the country.

Something must be done, and more would be achieved by targeting public sector jobs, which are at our disposal, to the west of Scotland. Those jobs could include the armed forces jobs that are out for tender at present. I understand that about 5,000 will be created in a new training college, which the Army will set up, and that it has been argued that it should be based in the east of the country, but I would argue forcefully that it should be set up in the west.

In summary, the Government understand that the economy is based inside society itself and that we are talking about people, not just numbers. Number crunching is all very well, but the people whom I represent understand the issues only on the basis of the food that they have on the table. Prudence is sensible. A stable economy is essential—it is good for business and for the families in my constituency. It is certainly not pap, as some might say. Clearly, because of that success, for the first time in many years we can afford to rebuild the society in which we live.

The base work has been done, and we now have record spending on education and health in and around my constituency and record investment in young people. For the first time in a generation, pensioners have been helped in a way that they understand. Of course, all that would be destroyed if the Conservative party were to return to power at the general election, as it has already committed itself to saving about £16 billion on public spending. Those cuts would most affect those who need the help most in my constituency.

7.37 pm

Mr. Michael Jack (Fylde): I listened with keen interest to what the hon. Member for Cunninghame, South (Mr. Donohoe) said, and I take issue with the figure of £16 billion in cuts because—I am sure my hon. Friends on the Front Bench would be only too pleased to give him chapter and verse—the figure is not £16 billion. Although we on the Conservative Benches accept our responsibilities, we have learned to use public finance better than the Labour Government have—hence, the fact that we can deliver expansion across the board in many public services, such as education and health, and we can do so with better value for money.

[Mr. Michael Jack]

At the outset, I remind the House that I have made certain business declarations in the Register of Members' Interests. I have no clear idea whether the Bill affects those interests; none the less, I thought it right to put that declaration on record.

The first thing that I observed is that this year the Finance Bill costs £14.70 for 291 pages—not such good value as Harry Potter and certainly not so exciting. In fact, the *Financial Times* managed to use the wonderful headline, "Concise Finance Bill aims to avoid controversy". I am delighted that the Paymaster General and the Chief Secretary are still here, especially the Paymaster General because she has the job of steering through the House what is—according to the *Financial Times*—an uncontroversial Bill. She knows, of course, that she will be in for an easy time.

I was interested in Ernst and Young's comments on its web page. That is the place to go these days for up-to-date, incisive, interesting and exciting comment. It said:

"Budget rehash fails to excite."

The Bill illustrates one of the problems with the Chancellor's announcing and reannouncing recycled ideas, which are then not exciting in the Budget or the Finance Bill because we can all search back through two or three copies of the Red Book to find some explanation of what appears in the Bill—for example, the aggregates tax.

Ernst and Young makes an interesting point when it says:

"the Chancellor's speech rehashed old announcements. He clearly isn't too interested in the business vote."

I am sure that those on the Treasury Bench would disagree with that, but that is the perception of those on the outside.

Ernst and Young makes another equally perceptive comment about the Chancellor. Of the Chancellor, the company states:

"From a personal tax point of view, we think he has yet again yielded to compulsion to tweak things."

This Chancellor cannot let go without making minor changes; I shall come on to one of them later in my remarks. Ernst and Young asks whether voters will be enthused by this approach—I suspect that they will not.

The aggregates tax has been mentioned. My former tax adviser in the Treasury, Mr. Edward Troup, considered the layout and format of the Bill and wrote in the *Financial Times:*

"Take land remediation—giving a tax reduction for cleaning up contaminated land. That takes up 14 pages of the bill. You do have to wonder whether all this effort is worth the benefits that will come from it."

That is an interesting point when we consider the amount of legislation that is afforded to descriptions of the aggregates tax. As my hon. Friend the Member for West Dorset (Mr. Letwin) said in his sage remarks, we are searching for the purpose of that.

If the Government are genuinely concerned about the exploitation of aggregate materials from land-based sources, why did they not seek to sit down with the aggregates extraction industry to try to negotiate a binding compact with it to reduce the amount of material that was taken from virgin sources and to encourage the recycling of previously used materials?

Dawn Primarolo: My hon. Friend the Financial Secretary engaged in exactly such discussions with the industry before the aggregates tax was introduced.

Mr. Jack: I am grateful to the Paymaster General for that clarification, but that is exactly the kind of discussion that resulted in the climate change levy. The Financial Secretary may have held the discussions, but we still have the tax.

If the Government are genuinely concerned about environmental matters, why do the clauses that deal with this matter not comment on the effect of aggregates extraction on the marine benthos? If the Financial Secretary, who is now fingered with the tax, had cared to consider the effect on grounds used for fish spawning and examined the discussions about aggregates extraction from mid-channel sites, he might have thought that protection of the spawning grounds of fish, such as sole, was an important issue.

If the tax were genuinely environmentally oriented, I would have expected marine-derived aggregates to be affected, but they are not. The tax is restricted solely to land-based extraction, which gives the lie to the Government's line that the tax is a great environmental measure. With the climate change levy and the landfill tax and no corresponding reduction in national insurance charges, the aggregates tax takes it place on the growing list of nice little earners.

I am sorry that the hon. Member for South Ribble (Mr. Borrow) is no longer here, because he and I would have shared common cause over the impact of the climate change levy on the horticulture industry. Those on the Treasury Bench were kind enough to listen patiently and assiduously to my remarks in the debates on the Finance Bill last year, but the problems have not gone away. The cost of energy to the horticulture industry has risen and the Government have done nothing in the climate change levy to recognise the fact that it is a carbon-neutral industry.

Much has been made of the missed opportunities in the Bill. The Paymaster General has taken a close personal interest in the exercise of rewriting our tax law, and the Bill is a missed opportunity in that regard. I have held discussions with the Confederation of British Industry, the Institute of Chartered Accountants in England and Wales and the British Chambers of Commerce and they all continue to express concern about the complexities in our tax system. In the same way that the tax law rewrite exercise was established, the Bill could have contained a clause or two that would have established a study to consider simplification of the tax system.

Mr. Letwin: As one would expect, my right hon. Friend is making an interesting speech. Does he agree that, if the Government were genuinely concerned about the complexity of the tax system, it is unlikely that they would be introducing new taxes?

Mr. Jack: My hon. Friend makes the point. This is not the time or the place to have the broad argument about the way in which new taxes are introduced or about the

type of Bill that we need, but such issues should have been addressed. If the Chancellor were trying to carve out a reputation for himself as a reformer, he and the Government would get to grips with the complexity of the tax system. Comments about simplification—particularly from the Chartered Institute of Taxation—abound on the site of accountingweb.co.uk and those arguments are well known to the Financial Secretary and the Paymaster General. I do not need to repeat them, but it is sad that the Bill fails to deal with such issues.

I am glad that the Bill introduces changes that deal with employee share ownership and the enterprise management investment scheme. I welcome them and the fact that the Chancellor has seen fit to put right some of his over-indulgence in the tax take on items such as fuel. We sometimes forget that we are talking about the people's money and the use to which a Government put it. Whether the tax take is set at the right level is a matter for the debates on the Budget and the Finance Bill. Conservative Members have illustrated the rising tax burden under this Administration and we have suggested ways in which we can deal with that problem.

Other right hon. and hon. Members have referred to the national crisis that has resulted from foot and mouth disease. It has implications for the farming economy, the rural economy and food industries. A call has been made for proposals to try to tackle the economic consequences of this dreadful disease, and I wish to suggest several measures that the Bill could introduce. For example, one clause deals with the enterprise investment scheme and new clauses could touch on the venture capital trust scheme, which is the other issue that I wish to mention.

The enterprise investment scheme and the venture capital trust scheme are financial vehicles that aim to encourage investment in sectors of higher than normal risk. They do so by providing the investor with income tax relief at 20 per cent. on the amount invested. They deal with capital gains made under the investment and also allow for the losses incurred to be deployed in other areas of financial activity.

There is a problem, however. The qualifying conditions of those two financial schemes and the corporate venturing scheme—which is the third strand of help for rural Britain—prevent them from being used to help land-based industries. They expressly rule out agriculture and horticulture as qualifying trades. I can understand that when the schemes were originally devised, there may have been extremely good reasons for those conditions, particularly in the light of the old business expansion scheme. There was also the worry about investing in land when the existing inheritance tax proposals were already fairly generous in respect of people buying farms as a means of securing capital wealth for future generations in their families.

We now face a national emergency, and, if we want to encourage more new investment of a slightly riskier nature, I ask the Paymaster General to consider amending the qualifying provisions to allow either of the two schemes to be used for the benefit of agriculture, the food industry, tourism and rural Britain. If the Treasury is concerned about the extent of the impact of removing the qualifying conditions, it is possible to draft the Bill so that the beneficial amendments that I have suggested are restricted to the areas affected by foot and mouth.

What enterprises would benefit from the changes? Farmers could use the rural development plan and work together to establish new cattle-breeding enterprises to overcome the strictures of foot and mouth, for which they might seek outside capital. The enterprise investment scheme and the venture capital trust scheme could open up the flows of capital that they need. Farm-based food businesses, tourism and other rural industries could also be encouraged, perhaps by taking advantage of the farm business tenancy arrangements that enable tenant farmers to create new business on their enterprises. Tenant farmers will be hardest hit by foot and mouth. They have no asset base to fall back on and would benefit from my proposals.

Corporate venturing is designed in a similar mode to the enterprise investment scheme. It enables people from the world of corporate business to invest so that they gain a tax advantage in the financial vehicles that I have outlined. The food industry and supermarkets have a role if they truly want to invest in and sustain Britain's rural economy. By amending the qualifying conditions in the corporate venturing scheme, the Treasury could induce a new flow of money to be made available to those two schemes to act as vital seedcorn capital.

I make those suggestions because of way in which the state aid rules limit the amount of public finance that can be used to help the process of recovery in Britain's rural economy. I hope that I have illustrated, in a simple and straightforward way, that three existing tax vehicles could be modified to help the rural economy at a vital time.

The hon. Member for Kingston and Surbiton (Mr. Davey) referred to roll-over losses. If a farmer makes losses for six consecutive years, there is a presumption that the farm is not being run on a commercial basis and further losses cannot be used by the farmer to offset against other income. Given the problems that farming faced before foot and mouth and those that it will face in the recovery period when we get on top of the disease, we should consider those arrangements. Bearing in mind the rarefied circumstances of the disease, trading in those tax losses might also be considered as a way to help the enterprises derive other revenue, or at least to enable the losses to be used against other ventures in which farmers might become involved if they use any of those three schemes. We need a more creative approach to the tax mechanisms.

I asked the Chief Secretary about the film industry partly because I wanted an economic justification for additional help, but also because it inspired the way in which I thought about the issue. The film industry, which has not had the problems of foot and mouth, is receiving extra help because it is a creative industry, just as the Government have maintained the extra-statutory concession that enables theatre "angels" to move losses from one west end venture to another. The same creativity must be used if the tax system is to assist our rural economies.

I was intrigued to discover that we are to give VAT relief on children's car seats as part of the Government's package to help families. I sought a justification for that, but could find nothing in the press release REV/C&E 3. It merely says that the VAT will be reduced from 17.5 to 5 per cent. I wanted further information and tabled a question to the Department of the Environment, Transport and the Regions, asking the Secretary of State how many

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child road deaths had been caused by defective child car seats in the past three years. I did that because the Red Book justifies the relevant clause by saying:

"Around 6,000 children under eight years old are killed or injured each year on Britain's roads."

I thought that defective car seats might be responsible, but the Red Book gives a further piece of advice. It says:

"It is vital that child car seats are correctly fitted and used to help protect children from harm when travelling by car."

That is true, but hardly borne out by the facts issued by the Department of the Environment, Transport and the Regions.

In clause 94, proposed new paragraph 7(2) of schedule A1 states;

"The following are 'children's car seats'",

and the definition includes

"the combination of a safety seat and a related wheeled framework",

so the measure is a way to reduce the cost of children's buggies. Every manufacturer of buggies will add a few straps and claim that they are a new car safety seat. I alight on this aspect of the Bill because I can find no justification for it. Indeed, it falls into the same category as further help for the film industry, which the Chief Secretary could not justify.

I am mystified. What is the Government's strategy on VAT? We recently learned of the extra losses in revenue from VAT, but the Government are cutting it further. When the local Blind Society recently asked me why VAT could not be reduced on aids for the visually impaired, I was left struggling for an answer. Children's car seats—cheap buggies—can have a totally unjustified reduction in VAT, but the aid that makes life bearable for the visually impaired has to bear its full weight. We are owed an answer to that.

Clause 81 deals with life assurance. As the Financial Secretary courteously dealt with my question on that last year, will he this year see whether it is possible to make the capital gains tax changes in life assurance policies so that the holders of those financial assets will have the same benefits that have been visited on those who hold assets outside them? It is high time that the corporate rate was brought up to date.

I mentioned the climate change levy, which is dealt with in clause 103, in the context of the horticulture industry. I note with interest that although clause 100 relates to the landfill tax, it fails to make a corresponding reduction in national insurance charges.

I think we all feel a bit odd about the Bill because we were not expecting to be here debating it. We thought that we would be out on the streets arguing about its content, where there would be more raw meat for us to get our teeth into. However, we are discussing it and have to take note of the missed opportunities. Bearing it in mind that foot and mouth is the nation's main problem, I hope that by our making positive suggestions, the Bill might be modified so that it can benefit rural Britain.

7.59 pm

Mr. Jim Cunningham (Coventry, South): I shall begin by asking a question that Opposition Members have not answered tonight: do they propose to make £16 billion of cuts if they come to power? Perhaps the key to the answer lies in the fact that they have performed a U-turn. Proposals for cuts were certainly being touted some time ago, but the suggested figure was £8 billion. Now they say that they will make Whitehall so efficient that they will save all that money without making cuts in services. The Opposition should not be ducking and weaving because it is not only the House but the country that is entitled to an answer.

The point has been made that the Chancellor is not interested in business. If that is so, why has he made allowances on VAT for small businesses and cut corporation tax? Those are not the acts of a Chancellor who is not interested in business. According to the Opposition, the Budget is not interesting, perhaps because interest rates and inflation are low. It might be more exciting for them if interest rates and inflation were high, and perhaps that is what they would like. Low interest rates and inflation help to foster competition and to create jobs. Low interest rates affect people who under the previous Government would have suffered negative equity—a little thing that the Opposition forget.

I welcomed the introduction of the minimum wage and I welcome also the increase in the basic rate. The Government should be proud of that, and both the introduction of the minimum wage and the increase should excite some Members. I welcome, too, the reduction in youth and adult unemployment because under the previous Government there were between 3 million and 4 million in unemployment, and it was the scourge of young and middle-aged people throughout the country. Ageism was dragged into the argument as a form of selectivity for jobs. People have never really understood what that was all about.

I understand why my hon. Friend the Paymaster-General introduced the IR35 rules, but I also accept the point made by the hon. Member for Esher and Walton (Mr. Taylor). There have been abuses of the rules, as I am sure he agrees, but my hon. Friend should do everything in her power to reach agreement on the matter. Several constituents have approached me about it, and we must consider the definition because I am concerned about the possibility of individuals losing their jobs or contracts. I have raised the matter a number of times with my hon. Friend. I agree with the hon. Member for Esher and Walton that everything must be done to encourage both sides at least to get talking to try to resolve the issue.

In Coventry, we have had bad news today that Marconi will shed jobs, but I do not know the exact figure yet. We know that Marconi will also increase the number of jobs in Coventry, but I do not know whether that will be a restructuring exercise or something else, because the company has said that it is considering restructuring worldwide. I do not want to be alarmist, but we must be vigilant. I must once more highlight the fact that several months ago, Rolls-Royce said that it was to restructure, with jobs in Coventry going to Canada. However, through the good offices of my right hon. Friend the Secretary of State for Trade and Industry, discussions are taking place between the trade unions and Rolls-Royce's management to try to save as many jobs as possible. Although we feel reasonably confident that things are going well, it is worth while now and again pointing out blips that affect us as constituency MPs, and I have highlighted two in particular.

I welcome the cuts in fuel duty, which demonstrate that at least the Government listen to the public on that matter, as they always have. The question was whether they should introduce a mini-Budget and erode confidence or wait for the proper time to make changes. I welcome, too, the help given to hauliers and the environmental rebate scheme that has been introduced to the tune of £35 million. I welcome the tax help given to companies such as Rolls-Royce for research and development.

Under the previous Government, 47p in the pound was going to pay off interest on Government debt. We have got that figure down to 16p in the pound, and the money saved is being ploughed into services. I hope that the Opposition are listening because they could avoid the charge that they will make £16 billion of cuts by being creative.

I welcome the financial measures to help disabled people, which have not had much mention today or in earlier Budget debates. The disabled person's tax credit must be welcomed because over the years we have had many debates about how we should help people with disabilities. I welcome also the guaranteed minimum income of £250 a week for families with a provider or other adult who is disabled. That should be applauded, but it has not been highlighted.

The charge that the Chancellor does not do much for business can be answered by the fact that many small businesses with a turnover of more than £100,000 per annum will not pay VAT. If that is not a measure that helps small businesses, I do not know what is. Recently, however, my attention has been drawn to retention payments. I would not claim to have great Treasury experience, but I know that the issue affects small businesses who employ only a few people as well as larger businesses. Of course, it may take them years to get retention payments back, and many have a small cash flow, which can present major problems. I hope that Ministers will consider whether something can be done to help small businesses on that matter.

We must welcome the Government's news that over the next five years there will be a 50 per cent. increase in NHS funding. I have not heard the Opposition say very much about that tonight. One of the big problems facing the NHS, as we all know, is recruitment. The Government have made available £135 million for that, and we must applaud it.

I want to draw the Government's attention to a matter that has been raised with me by pensioners and groups representing the elderly—the worry about how they will finance community care for themselves. We know about the cost of caring for elderly people in residential homes. I hope that my hon. Friend the Paymaster General will say something about that because in some areas people who run such homes are going out of business. I do not expect any ready-made answers tonight, but the matter should be considered.

Another area that concerns me personally, because I have experience of it, is the need to restore dignity to public services. We could do a lot more about that. I have said that before, but it is always worth saying it again. I refer in particular to local government, because in the past it has spent its fair share of time being the whipping boy on which we blame every ill in society, from cuts to legislation that affects the delivery of services. I do not need to go through every aspect of that legislation because most hon. Members will know what I am referring to.

I am glad that my right hon. Friend the Secretary of State for Education and Employment has started to take action to improve education by reducing class sizes. We must review teachers' salaries and do more to encourage more people into the profession, as Ministers are doing. We must ensure that teachers feel that they are doing a full-time job and that—to return to the dignity of public service—the public once again respect their teachers.

I have two universities in my constituency, so it would be remiss of me not to raise issues affecting students. The House must consider the Cubie report and how soon its recommendations can be implemented, although that will obviously not be during this Parliament. My hon. Friends should consider other ways of ensuring that students do not end up with massive debts when they leave university, which remain a millstone round their neck when they get a job.

Universities are looking at various devices to raise resources. Laptops have been an issue recently in Coventry—anyone who did not have a laptop might not get a place at a certain university there. There has also been the suggestion of top-up fees, although I know that my right hon. Friend has set his face against that. We must be vigilant about such matters in the next Parliament.

A further matter of concern is the plight of mature students who want to go into the medical profession and take night school courses, but find those difficult to sustain because of their lack of income. I hope that Ministers, especially my right hon. Friend the Secretary of State for Health, will look into that.

The Government have done much that we should welcome. We welcome the £200 winter fuel allowance, which was a major step. We welcome pension increases, although some pensioners are still pressing for a link with earnings. No doubt we shall return to that debate in future. The Government have done much, and we want to do more, in relation to concessions for pensioners on public transport.

An issue that concerns me in Coventry is the amalgamation of schools that is currently taking place. To some extent, that can result in school closures. The formula is under review, and I hope that the review will be speeded up. More flexibility in the formula is needed so that schools in my constituency can be kept open, and the buildings can be used for other community or medical purposes. There is much to welcome in what the Government have done for the national health service, the education service and small businesses. The Opposition may find the Budget dull, but it gives people confidence to know that inflation is low and that interest rates are low, which helps investments and avoids negative equity.

8.14 pm

Mr. Robert Walter (North Dorset): I draw the House's attention to my entry in the Register of Members' Interests—not that I think that the Bill will make any difference, although my right hon. Friend the Member for Fylde (Mr. Jack) had some interesting proposals, which would have made a slight difference. Alas, he is no longer a Treasury Minister.

Introducing the Bill, the Chief Secretary spoke of a balanced approach, and made quite an issue of that. In a number of areas, the Bill and its proposals present a precarious balance, especially in respect of excise

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duties, where the balance is still tipped in favour of the criminal and foreign business, and against the law-abiding, otherwise successful British business.

Since the implementation of the single market, the failure of Government to recognise the enormous divergence between excise duties in Britain and those in the near continent has encouraged the smuggler and damaged British business. In my North Dorset constituency, three pubs have closed in the past two months. That had nothing to do with foot and mouth, although that is having a devastating effect on pub takings. It had much to do with business rates, council tax increases and the minimum wage. Most of all, the availability of cheap booze, both legally and illegally acquired, has brought about the closure of The Silent Whistle at Shillingstone, The Sir Winston Churchill at Wimborne and The Damoury Arms in Blandford.

I am grateful to Mr. David Woodhouse, the managing director of Hall & Woodhouse, an extremely successful independent family brewer in Blandford, for providing me with up-to-date data on the subject. As a premium beer producer, the firm has just won the Tesco "Beer of the Year" competition with a new brew, "Golden Glory", which goes on sale next month. Mr. Woodhouse faces the possible closure of more pubs in the future. Outside the House, I mentioned to my hon. Friend the Member for West Dorset (Mr. Letwin), the shadow Chief Secretary, a pub in his constituency, which is under serious threat.

The Government will claim that they have not increased beer duty this year. However, the problem has not gone away. The problem is the fact that beer is significantly cheaper in France and, in a single market, the population will seek to arbitrage the difference if there is an economic benefit to be gained. Let us consider the price advantage of duty-paid imports of beer from France.

Many factors affect the net profitability of duty-paid imports: the type of beer imported—whether it is canned or bottled, whether it is premium or standard beer, and whether it is a French or a UK beer; the destination in the UK to which the beer is being taken; the capacity and type of transport being used; and the type of operation—whether it is a smuggling gang, a lone bootlegger or just a home shopper. I shall deal in a moment with those three very different but not untypical types of importer, all of whom have a similar net profitability, which is estimated to be about 8p a pint.

Since the start of the single market, four major factors have changed that price advantage. There have been changes to the rate of UK beer duty—thankfully, no change in the upward direction this year; changes to French beer duty, which has gone up, and exchange rates; higher ferry fares, following the end of the duty-free allowances in July 1999; and the recent increasing success of Her Majesty's Customs in deterring smugglers from using their Transit-style vans, thereby increasing confiscation rates.

Data for the past five years indicate that volumes have borne a close relationship to the net price advantage. The exception was in 1999, when smuggling volume was particularly high, but that was probably distorted by those stocking up for the millennium celebrations. In the first three years after the single market was established, volumes were lower than might be expected, which probably reflects the time taken by importers and suppliers fully to recognise and exploit the financial opportunities.

Many factors have altered the profitability of personal imports of beer from France to the UK over the past decade. The rate of UK beer duty was increased by a penny a pint in 1993, 1995, 1998, 1999 and 2000. The change of the duty system in July 1993 meant the equivalent of a further penny on a pint.

On the other side of the equation, France increased its rate of beer duty in 1995. The abolition of duty-free sales in July 1999 resulted in increased ferry fares, which raised the cost of the average day trip by about £10. For the average day tripper, that was the equivalent of about 7p a pint. As I mentioned, in recent years, Customs and Excise has deployed increased resources at Dover to stop and confiscate a fair proportion of the larger vehicles, such as the Transit vans used by smugglers. That has forced many smugglers to use smaller and less conspicuous vehicles. It has also added to the smugglers' costs over the past four years. It has been estimated that their costs have increased by about 9p a pint.

Does that mean that the Government are winning this war? I should like to demonstrate that they are not winning it. The spectrum of duty-paid beer imports covers a wide range of importers and products. I should like to give three short examples. Although they relate to different types of enterprise that involve the importation of widely different loads and types of beer, I want to show that the net profit in each case is less than 8p a pint.

My first example is that of the genuine personal shopper and day tripper. Although the indicative limit that is imposed by the customs is 110 litres of beer per head, most people bring back far less. The average quantity brought back by legal shoppers is about 10 litres per head. My example assumes a load of 13 cases of beer, which can be packed relatively easily into the boot of a family saloon car, but represents slightly more than six months' average consumption for a UK adult. Although most of the gross profit of such an exercise is spent on travel, the day tripper makes a small saving and has a free day out in Calais. He would bring back bottles of beer at 86p a litre, which he can buy at Tesco or Sainsbury's in Calais. As he is bringing back 13 cases, he will have bought about 78 litres. That represents a saving on Tesco's prices here of about £66, which consists essentially of duty. The ferry will have cost about £40, and let us say that his petrol will have cost £15, if he was travelling from London. That produces an overall saving of £11 on an investment of £122, which is a net saving of 7.7p per pint.

Let us now consider the more serious side of the equation, and turn to the criminal fraternity. I want to speak about those who are in the business of bootlegging and smuggling. My second example is that of the bootlegger who sees the financial opportunity of smuggling. He buys the cheapest possible beer and fills his estate car with as much as it can hold—usually about 60 cases. He will not use a Transit van, because of the risk of being obvious to Customs as he comes back through Dover. The weight of 60 cases of beer is almost a tonne—a load that makes the car illegal and potentially dangerous. Our bootlegger then sells his cheap beer to his friends and neighbours when he gets back, but to do so he must offer better value than the traditional source, which is the supermarket. To beat that competition, he

must undercut the supermarket price by at least a third, so he is unlikely to achieve a profit of more than about £5.50 a case.

Nevertheless, the bootlegger will expect to make from his beer a profit of about £50 on a trip. He will probably supplement that gain by trading in tobacco and cigarettes, about which I shall speak more in a moment. Of course, he runs the risk of vehicle confiscation and imprisonment, but he will probably not factor that risk into his calculation, on the assumption that it only ever happens to somebody else. His arithmetic is likely to be as follows: he buys the cheaper beer for £3.70 a case, probably from Eastenders in Calais. He fills up his D-reg Volvo or Peugeot estate with 360 litres of beer, or 60 cases. The average UK price is probably about £8 a case, but he will sell the cases on at £5.50 each, making a gross profit of £1.80, or £108 for the trip. After he has taken out his *travel costs, he will have made a profit of £48 on an* investment of £282, with a margin of 7.6p a pint.

Now for the real criminal: Mr. Big. My third example is the organised gang of criminal smugglers. They are remotely controlled by Mr. Big, who hires drivers to import his beers in Transit vans, or, increasingly, in pick-up trucks. The beers will usually be English brands, as they can be resold in the UK without arousing suspicion. They might have been legally exported to French shed warehouses, of which there are many within striking distance of Calais, Cherbourg and so on. To maximise the load, the smuggler will probably bring back 12-litre cases of cans, which weigh less than glass. His pick-up truck will have been fitted with specially stiffened springs to enable it to carry a load of more than a tonne. The observations of the Brewers and Licensed Retailers Association suggest that 90 cases would be a typical load for such an operation.

Mr. Big may run a fleet of up to a dozen such vehicles, with arrangements for transfer on to a lorry near Dover for onward transportation to the midlands and the north. With a fleet of that size, he would expect probably to lose a vehicle a week to confiscation by Customs. Such losses will be built into his calculations. As he is dealing in UK brands, the saving is essentially the duty difference between the UK and French rates. The beers will be distributed via a large network of cornershop off-licences, van sales on housing estates and so on, but the retailers will need a reasonable incentive to risk their licences by selling illegally imported beers, so there is an estimated sales cost of, say, £2 a case.

The criminal in question will be bringing in more than 1,000 litres of beer in his pick-up—or 90 cases—and saving duty of about 50p a litre. Obviously, he will have ferry costs and he will have to pay the driver and perhaps a mate, which will probably add another £60. He has probably built into his costs a premium for losing the occasional vehicle—perhaps one in 20—of about £75, and there will also be sales costs. That means a net profit of about £145 to £150 a trip. On an investment of £1,300 or £1,400, that is a profit of about 7.5p a pint.

So, it is clear that, for beer, the margin remains. That margin is revenue lost to the Treasury. It is the criminal smuggler who is in business, but it is my business men, my brewer, whom I mentioned, and my publicans who are losing money and, in some cases, going out of business. The margin is not the 26p duty differential between Britain and France. As my figures demonstrate, the margin—the bootlegger's margin—is less than 8p a pint.

On Friday I spoke to another publican in my constituency, Mr. Charlie Hancock, who runs the Fleur de Lys in the village of Cranborne. His concern related to tobacco duty. Five years ago, his off-sales of liquor and tobacco amounted to about £1,000 a week, three quarters of which were accounted for by cigarettes and tobacco. They are now virtually zero. The story is repeated in pubs, off-licences, convenience stores and village shops in my constituency and, indeed, throughout the country.

Mr. Jim Cunningham: The hon. Gentleman speaks of what was happening five years ago. Would he like to tell us what was happening seven years ago, under the previous Administration? What he has described is nothing new. I recall that the then Paymaster General was asked to investigate, and did not exactly deliver.

Mr. Walter: The hon. Gentleman rightly points out that the problem is not particularly new. I referred to what was happening five years ago because that was the example given to me by the publican. The revenues on tobacco duty that the Treasury is receiving are at best static, and fell dramatically in the last full financial year—1999–2000—as a result of smuggling.

Mr. Letwin: The point that my hon. Friend has just made is seminal. We argued year after year that the time would come when there was a crossover, and revenues would decrease. The constant refrain from the Government was that that would not happen for years, if ever. Now here we are, in the year in which it has happened.

Mr. Walter: My hon. Friend is absolutely right. Let me return for a moment to beer duty. Figures for which I asked the House of Commons Library show that, in real terms, the Treasury take from beer duty has not really moved in the past 10 years, although consumption of beer, wines and spirits has increased significantly. As my hon. Friend has pointed out, the Treasury take from tobacco duty has fallen, despite all the evidence that tobacco consumption has risen in the intervening period, while duties have risen as well.

May I now return to my publican in Cranborne, a delightful village? The villagers have not stopped smoking; that is not the reason for the fall in his off-sales. The problem is that the villagers now have another source, a man who can get whatever they want—cigarettes or tobacco—and at a fraction of the price. What has been the Government's response? Even in this Finance Bill, it has been simply this: blindly to increase the duty on cigarettes by 6p a packet, and to continue to line the pockets of the bootlegger.

Since May 1997, the price of a typical packet of cigarettes in the United Kingdom has risen from £3.12 to £4.22. That is more than three times the rate of inflation. From each of those packets the Chancellor collects £3.37 in excise duty and VAT—80 per cent. of the retail price, and a much higher amount than is collected in any other European Union country. In fact, United Kingdom cigarette taxation is the highest in the world.

The Chancellor lost potential tax revenue—excise duty and VAT—of almost £5 billion between 1997 and 1999, not because less tobacco was smoked but because the

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smuggling of cigarettes and hand-rolling tobacco has accounted for an ever-increasing share of the total market. As I have said, UK tobacco consumption has increased since 1997, following 25 years of substantial decline.

There is a root cause of all this: the exceedingly high and ever-rising level of tobacco taxation. The Government have estimated that in 1999–2000 total cigarette consumption was around 76 billion, of which 13.6 billion—18 per cent.—were smuggled. The Tobacco Manufacturers Association has estimated consumption in 1999 to be 84 billion, of which 21 billion were non-UK duty paid, and 17 billion—about 20 per cent. of cigarette consumption—were smuggled. Total consumption of hand-rolling tobacco, the equivalent of some 21 billion cigarettes, had doubled since the opening of the single market, and nearly 80 per cent. of that consumption was non-UK duty paid.

Liz Blackman (Erewash): Is the hon. Gentleman aware that the tobacco industries of countries such as Spain and Italy, where tobacco duty is considerably lower than in the United Kingdom, are being undercut by non-EU tobacco that is not subject to any duty? The logic of his argument would seem to be that he wants tobacco duty to be cut. Given the examples of Spain and Italy, his argument does not stack up.

Mr. Walter: Illegal imports into Spain and Italy, especially of counterfeit tobacco products, are another problem and the subject of another debate.

It has taken the Chancellor almost two years to take steps to attempt significantly to curb tobacco smuggling. His steps have been too little and too late. Over about three years, the extra financial resources made available to Customs and Excise have amounted to less than £300 million, compared with an admitted tax loss of at least £5 billion. The Tobacco Manufacturers Association anticipates that in the year 2000 the tax loss as a result of smuggling will be about £4 billion.

Even by the Treasury's reckoning, the measures that have been introduced are designed only to contain smuggling at a level of slightly below 20 per cent. of the market. Although the seizures of smuggled tobacco products in the UK are running at a higher level than they were in 1999, Customs and Excise still believes that what it knows about smuggling is only the tip of the iceberg. The industry believes that the iceberg is significantly larger than the Government admit. Whichever view we take, it is clear that the more effective policing of smuggling will not by itself be an adequate remedy. The root cause is tax, and that issue must be tackled as well.

In August 1999, the Chancellor commissioned a report from Martin Taylor on tobacco smuggling, and he claims to have implemented its recommendations. A recent Treasury Select Committee report deplored the manner in which the Government published only snippets of Mr. Taylor's advice that support the new strategy for dealing with tobacco smuggling. The Government refused to publish in any form Mr. Taylor's advice in full.

Mr. Letwin: My hon. Friend is developing a powerful argument. Does he agree that if what the hon. Member for Erewash (Liz Blackman) said was material, the Government would have had no trouble in publishing the full text of Martin Taylor's observations? Mr. Taylor would have acknowledged that the duty differential was not the cause of the problem. The Government's extreme reluctance to publish suggests that Martin Taylor was aware that the duty differential had a serious effect on the smuggling problem.

Mr. Walter: The reports that I have of the contents of Martin Taylor's report—I do not know whether I quote accurately because we have not seen the report—suggest that it would not be possible to halt tobacco smuggling into the United Kingdom without cuts in the high level of UK tobacco taxation.

In his pre-Budget statement in 1999, the Chancellor stated that he would form his Budget judgments on the appropriate level of tobacco duties, taking into account a wide range of factors. In his Budget this year, the right hon. Gentleman had the opportunity to demonstrate that even if he considers tobacco taxation to be a morality issue, he none the less recognises that the policy that he has pursued so far has not worked.

The Chancellor has seen revenue from tobacco taxation reduce. He has failed to reduce tobacco consumption, contrary to the Government's health policy targets. He has increased the level of criminality with the increased number of smugglers. Most important, he has failed to protect children, who potentially are the targets of indiscriminate selling by illicit traders.

The Chancellor should launch a full and independent review of the UK's tobacco market, the extent of illicit market penetration and the Government's tobacco taxation policy and its fit with other policy objectives. Such a review should be undertaken urgently and published. That would make it clear that a market, a significant proportion of which is in the hands of criminals, is out of control. Such a market cannot be regulated to control under-age smoking or fulfil the Government's health objectives.

The figures for liquor and tobacco suggest a law of diminishing returns. At a time of increasing consumption, the tax revenue is static or, in the case of tobacco, declining. That is nonsense.

8.40 pm

Mr. Eric Illsley (Barnsley, Central): I shall make a few short comments on the Bill. Some relate to those of the hon. Member for North Dorset (Mr. Walter) on smuggling, which I have raised in such debates in the past. He described it in considerable detail.

I warmly welcome much of the Budget. Many of the Bill's provisions are welcome in my constituency, especially the assistance for families and children, such as the working families tax credit and the children's credit. The reductions in fuel duties are also welcome. However, in the debates that we have conducted on fuel duty in the past few months, insufficient attention has been paid to oil companies' profiteering. We are debating differences of 1p or 2p in fuel duties while oil companies register record profits and the oil-producing countries meet to try to restrict oil production even further so as to increase those already obscene profits.

Although I warmly welcome much of the Budget, many of its benefits for my area will be eclipsed by one or two other matters that the Chancellor could have tackled.

I pay tribute to him for his excellent stewardship of the country's finances, to which the moneys that we can provide for education and health are a testament. However, in the next few weeks, my area will suffer because of our local government settlement, which has again left us several million pounds short of our budget target. We are used to that predicament, because it began in 1990 under the present system for local government finance. My area was one of 20 that were capped by the previous Government when they introduced the poll tax and the standard spending assessment formula. The latter has always worked against my area, and the problem is therefore historical. If one starts from a low base, one will always be at the low end of the scale.

Benefits such as the tax credits and lower tax starting rate for people on low incomes—there are quite a few of them in my constituency—could be overshadowed by the fact that the local authority has to cut services or introduce charges for them because of the shortfall in its budget. It is saddening that, despite the excellent Budget and interesting Finance Bill, we face cuts in our local government budget for a different reason. That takes a little of the gloss off the Budget.

My local health authority is one of the lowest funded in the Trent region and the country. It has a shortfall of approximately £3 million, which will prevent it from fulfilling many of the important targets that the Secretary of State for Health has imposed on it. We have considered tobacco smuggling, about which I shall speak shortly. My area has high rates of lung cancer, stroke and heart disease. Reducing tobacco consumption is therefore vital. The explanatory notes to the Bill state:

"Smoking is the single greatest cause of preventable illness and premature death in the UK. Tobacco use is detrimental to health with significant wider social costs. The Government is committed to reducing smoking".

I sign up to that and agree that, as well as educational programmes, one way of achieving that is to increase duty to dissuade people from smoking—basically, to make it too expensive. However, as the hon. Member for North Dorset pointed out clearly and in considerable detail, that policy has been undermined to some extent by the number of cigarettes brought in from abroad.

There are areas in my constituency where retailers, tobacconists and newsagents cannot sell legal cigarettes. The amount of smuggling that goes on in those areas makes it unprofitable for them to continue selling certain types of cigarette, if not all cigarettes. When I go out and about in my constituency, retailers, tobacconists and newsagents constantly complain that they cannot sell cigarettes in their area.

The hon. Gentleman went into great detail on the revenue losses and all the rest of it. I do not want to follow him down that path, but newsagents and tobacconists in my area can point to the points of delivery. Articulated lorries bring in a huge number of smuggled cigarettes. They are brought to one central point: an entrepreneur, for want of a better word, brings in the tobacco. He then sells on to a network of "runners". They will purchase the packs of cigarettes and sell them to an even wider distribution network. By using that system, the penetration within the local area is extremely deep, covering huge areas.

Last year, I raised the matter in the equivalent debate. A few months ago, a retail trade magazine decided to publicise smuggling to draw more attention to it and to reduce it in its own way. It was aimed not at those in the example that I have just quoted, but at newsagents and tobacconists who were selling smuggled tobacco: legitimate traders who had decided that the only way to make money from selling tobacco products was to go the way of the smugglers and to sell the stuff more cheaply from their own shops.

Jane Griffiths (Reading, East): Does my hon. Friend share my concern that legitimate, law-abiding newsagents, tobacconists and off-licences in my constituency who do not wish to sell smuggled and contraband goods are being intimidated into doing so, with threats of damage to their property and sometimes threats to their children?

Mr. Illsley: My hon. Friend has anticipated my next point. I am grateful for her intervention because it emphasises the point that I am about to make. The retail magazine in question decided to draw attention to the issue of legitimate traders selling contraband goods at a lower price. Members of Parliament—I am sure that many colleagues took part—were invited to go to newsagents who had volunteered to take part in the scheme and who had, in so doing, allowed their names to be published in the magazine.

On the day that I visited one particular newsagent, I was surprised to pull up outside his shop at the same time as the local constabulary and the local press. I went into the shop and found out that, that morning, the newsagent had received an anonymous message on an answering machine telling him that, if he went ahead with the promotion to reduce the number of smuggled cigarettes by drawing attention to the problem, he would face the problems that my hon. Friend the Member for Reading, East (Jane Griffiths) has outlined. He was frightened out of going ahead with the idea that the magazine had promoted. The publicity event at which that newsagent and I were to speak to the local press had to be cancelled because he was so afraid of the consequences of going through with it. He felt that way not because of the criminal element to which the hon. Member for North Dorset referred, but because of a semi-criminal element among his fellow retail newsagents and tobacconists.

As my hon. Friend the Member for Reading, East said, newsagents and tobacconists seem to be in a catch-22 situation: either they stop selling cigarettes or choose to sell smuggled cigarettes, or perhaps they are forced to sell smuggled cigarettes because their colleagues want to do so. It is a difficult situation.

As the hon. Member for North Dorset said, the retail price of a packet of cigarettes is about £4.20, whereas a packet of smuggled cigarettes typically costs £2. Additionally, all brands are available from those who will take the risks associated with smuggling. However, I must tell my hon. Friend the Member for Erewash (Liz Blackman) that I am not sure that reducing our tobacco duty to bring it into line with other European countries' is the answer to the problem. As she said, sales of cheaper European cigarettes are undercut by even cheaper eastern European cigarettes.

We have to pay more attention to the issue. We have either to try harder to prevent smuggling by providing more money for that effort or to re-examine tobacco duties within the overall European context. Hand-rolling

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[Mr. Illsley]

tobacco is one of the biggest earners for smugglers, as the price paid for it here is very substantially more than that paid in the rest of Europe.

Dr. George Turner (North-West Norfolk): Does my hon. Friend accept that, in the long term, if the Government are to achieve their health objectives, they will have to accept a reduction in revenues from tobacco duty? Is it not therefore logical for the Government to attack the smuggling problem rather than to reduce the price of cigarettes? As we know, cigarette pricing is one of the greatest influences in encouraging people to stop smoking.

Mr. Illsley: I do not disagree with my hon. Friend. We have to find solutions other than reducing tobacco duty to tackle the smuggling problem. Although we can consider that option, as I said, the idea is to increase the duty to try to stop people smoking, and perhaps to prevent young people from taking up the habit by pricing them out of the market. However, I am worried that that policy is being defeated by the general availability of very cheap cigarettes. There is no easy answer to the problem; if there were one, I am sure that previous Governments or the current one would have found it.

People in my own area have health problems such as heart disease and lung cancer that are caused primarily by smoking. I should like extra resources to be provided to stop smuggling and for education programmes to appeal to young people not to smoke. As I am sure my hon. Friends will agree, banning tobacco advertising is a step in the right direction.

I am the honorary adviser to the Northern Licensed Victuallers Association, which has made representations to the Government on alcohol smuggling. The hon. Member for North Dorset dealt in great detail with alcohol smuggling. Contraband alcohol is often sold in legitimate retail outlets by publicans, licensees or off-licensees. In the past, however, wholesale licences were one way of stopping such sales. Wholesalers had to have a wholesale licence to operate, but would lose their licence and have to cease trading if they were found to be selling contraband alcohol. I again suggest that Ministers consider that approach. I know that it was abolished a few years ago, but perhaps that measure could be revived to combat smuggling.

The climate change levy is referred to only briefly in the Bill. The levy, along with the 80 per cent. rebate for the integrated pollution prevention and control industries, is administered by the Treasury, but much of the detail of how to qualify for rebate and exemption is dealt with by the Department of the Environment, Transport and the Regions.

I am sorry that the hon. Member for Esher and Walton (Mr. Taylor) is no longer here, because I agree with what he said about certain processes being exempt from the levy. He referred to air separation. That industry supplies gases for industrial use, but it is also a process in itself. Certain glass furnaces in my constituency are fuelled by an oxygen process, but following the climate change levy negotiations they no longer qualify for a rebate. The gas consumption of a glass furnace also increases with its age, so a furnace that qualifies for an 80 per cent. rebate today may fall foul of the targets some years down the track, at a point in the cycle where the company cannot afford to refurbish it.

I hope that the Government will bear those difficulties in mind in future years when they consider the rate of the levy and the exemptions. They should be aware of how the levy works in practice and how it affects air separation companies, for example. The hon. Member for Esher and Walton mentioned the British Oxygen Company, which has a plant in my constituency. Glass companies are also very concerned about these issues.

8.57 pm

Mr. Nick St. Aubyn (Guildford): I was interested to hear the hon. Member for Barnsley, Central (Mr. Illsley) setting out his latest criticisms of the climate change levy, an earlier complex stealth tax that we were given too little time to consider in the previous Session. He told us of some of the many problems that it is causing. We shall no doubt hear a similar story in a year or two if the aggregates tax goes ahead. The problem with stealth taxes is that no one, not even in the Government, understands them. It is only later, when they hit people between the eyes, that the problems become apparent.

Mr. Illsley: In my defence, I should say that I raised the issue of the climate change levy more than 12 months ago, not only in meetings with Ministers but in debates on industry. Many of the fears of industries such as the glass industry were allayed by the 80 per cent. rebate.

Mr. St. Aubyn: The hon. Gentleman was brave enough to defy the Millbank thought police and give his own view. I congratulate him on that, but the Government cannot have listened to him, because there are still problems, as he said, that are a great worry to business. The same will be true of the aggregates tax and all the other stealth taxes.

The problem lies not only in understanding the stealth taxes but in quantifying them. A year ago, the Chancellor predicted how much he would raise in revenue in the year now ending. According to his estimate in this year's Budget, he has raised £8 billion more than he expected to raise just 12 months earlier. That shows how inaccurate Government forecasts are from one year to the next.

Mr. Letwin: Is my hon. Friend aware that, if one looks at the figures for the public sector net cash requirement and the repayment of the public sector debt, over the last two years, the forecasting error of Her Majesty's Treasury is some £55 billion, which is the single largest forecasting error in British economic history?

Mr. St. Aubyn: I am grateful to my hon. Friend. I was not aware of that fact, but I do know that the Government are hopelessly off-target when they try to project what is happening to our economy and even what is happening to their own finances.

Mr. Michael Jabez Foster (Hastings and Rye) *rose—*

Mr. St. Aubyn: I shall give way in a moment.

The Government preen themselves on the fact that, this year, there has been a substantial debt repayment. However, over the next few years, their own predictions

forecast massive borrowing nearly twice the size of that repayment. Indeed, given their forecasting error, according to my hon. Friend the Member for West Dorset (Mr. Letwin), it could be several times as big. With their stealth taxes and lack of clarity, the Government have created a far more volatile situation for tax collection and the economy as a whole.

That is why we shall take no lectures from the Government when, for example, we announce that we are concerned about the history and performance of the tobacco tax regime. I welcome the comments of my hon. Friend the Member for North Dorset (Mr. Walter), as we know that the amount raised by tobacco tax has gone down. When we call for a review of that area of policy, we should be mindful of the fact that, under the previous Chancellor, the Conservative Government undertook a review of alcohol taxation. Following that review, we decided to have lower rates of alcohol tax.

The Government's policy on alcohol duties has been influenced by the previous Government's review, and it is significant that, in the current Parliament, the take from alcohol duties has been sustained; in fact, it has gone up by nearly 10 per cent. By contrast, the Government have ratcheted up the rate of tobacco duty, and receipts from tobacco duties have declined significantly. Therefore it is not enough for the Government to say that any discussion of a review of tobacco taxes would inevitably mean less money for our schools and hospitals, because their strategy on tobacco tax has failed. Their aggregate levels of tax are so volatile and their predictions so uncertain that they cannot possibly argue that a small change in one area of tax policy would have consequences for spending on our schools and hospitals.

That brings me to a much more important point. The Conservative Opposition have identified savings that might be made in the running of government, which add up to £8 billion a year without affecting a single penny of the money spent on our schools and hospitals.

Mr. Letwin: I am sorry to interrupt my hon. Friend again, but he has reminded me of something. He may recall otherwise, but I believe that a member of the Treasury team said that the purpose of raising tobacco duties would be, by hypothecation, to raise more funds for the health service. Does he remember that and does he think that, mysteriously, the Government should now be cutting health expenditure if that were a genuine promise?

Mr. St. Aubyn: My hon. Friend is obviously more willing than I am to embarrass the Government at this stage of the proceedings. He is right; we were told that the additional duty would go directly into the health service. I agree that we are now told that, despite the fall in the take from tobacco duty, the Government can still afford to increase spending on health, education and other key areas. The Government themselves have detached the debate about the optimum rate of tax on tobacco from the debate about how much we spend on our schools and hospitals.

We have identified £8 billion of savings. The Chief Secretary has studied those savings carefully and I thank him for doing so. I am sure that he agrees that we have identified £8 billion of savings that will not affect schools and hospitals.

Mr. Andrew Smith *indicated dissent.*

Mr. St. Aubyn: I shall gladly give way to the Chief Secretary if he can tell me which part of the £8 billion that we shall save will affect our schools and hospitals. I am sorry that the Chief Secretary is not willing to engage in debate. We must assume that the £8 billion of savings that we have identified will not affect our schools and hospitals.

We have identified savings in other areas by managing the business of government better than this Government have done. That is why we can talk about measures such as abolishing the basic rate of tax on savings. We feel that it is unfair that people who, out of their earned and taxed income, have put money aside should then find that their reward—the interest on those savings—should be taxed again before they receive it. That has had something to do with the fact that the amount of savings in our economy—the savings ratio—has declined savagely since the Government took office.

It is striking that, at a time when the Government are preening themselves about the amount by which they are repaying Government debt, consumer debt has gone through the roof. Economists are worried by the prospect of debt repayment being a real constraint on consumers in the coming years. That is one of the reasons why they raise questions about the Government's sometimes absurdly confident assertion that they have abolished the economic cycle and boom and bust. That claim becomes hollow to anyone in farming or tourism, or in the other, smaller industries that support those two sectors. They know all about boom and bust under this Government. That goes to show that no Government—even one as intent on central planning as this one—can prevent the hiccups and surprises that different sectors of the economy throw up from time to time.

The Conservative party will not only abolish the basic rate of tax on savings, but will help married couples and take 1 million pensioners out of tax altogether. Above all, we must have a less complex tax system, and it is that aspect of the Bill that I find particularly objectionable. The Bill piles on the complications in our tax system. For example, there are 22 rates of company car tax; there are different rules depending on whether one takes out a mini-ISA or a maxi-ISA; the Government have introduced the working families tax credit, the children's tax credit and changes to child benefit, and baby bonuses are to be introduced.

All of those clawbacks, reliefs and tapers add to a complex system. Witnesses to the Treasury Select Committee have made it clear that the trouble with complex allowances and incentives is that, if no one understands them, they will not incentivise anybody. That is why the waste in administration dwarfs any potential gain at the micro level in the economy by stimulating people to do whatever civil servants and the Government decide is the latest fad.

Mr. Tom Levitt (High Peak): The hon. Gentleman tells us that tax credits are a waste of time, yet they are the very elements of the Government's policy that are tackling poverty—particularly by giving those on the lowest wages an incentive to stay in work. His party has said that it will scrap those tax credits. What will he do for the lowest paid?

Mr. St. Aubyn: We find complex tax credits and incentives to be self-defeating. They become so specific and obscure that no one understands them. A third of

[Mr. St. Aubyn]

those entitled to the minimum income guarantee for pensioners have yet to take it up. What good is that? Pensioners do not understand why they should fill out a 48-page form in which they are asked such absurd questions as whether they are on strike or whether they are expecting a baby.

Mr. Flight: Might I point out that 500,000 parents have failed to take up the children's tax credit because that is so complex?

Mr. St. Aubyn: I am grateful to my hon. Friend.

At the beginning of winter, 1 million people who were entitled to winter fuel payments from previous winters still had not received their money.

Mr. Levitt *rose—*

Mr. St. Aubyn: I shall give the hon. Gentleman another chance.

Mr. Levitt: First, the hon. Gentleman is criticising a children's tax credit that has existed for only three days. Secondly, is he aware that the take-up of working families tax credit is far higher than it was for family credit? His party's past policies relied on people not taking up their credits. We want people to take them up.

Mr. St. Aubyn: The working families tax credit is so complicated that the Government are reforming their own system. That says all that need be said about the complexity of their policies.

The Finance Bill gives us the aggregates tax, which my hon. Friend the Member for West Dorset has brilliantly exposed as an appalling example of the worst evils that stealth taxes bring to bear. That raises a fundamental issue. Are we to achieve a tax base through a series of insidious, invidious and stealthy measures, as has been the Government's systematic approach over the past four years? Alternatively, are we to develop a tax system based on rates that businesses and people accept are broadly reasonable? Under such a system, people could spend more of their time generating new business and paying their tax along the way, rather than having to employ an army of accountants to figure out the Government's latest wheeze and how to get round it.

We believe, fundamentally, that an internationally competitive economy needs a clear and simple tax system, in which the burden is reasonable. Quite apart from the fact that taking money from people who live and work in our country is a drain on the growth of our economy, if those people feel that the system is unreasonable, not knowing how the money is being taken but realising that it has been, the brightest and best will have a massive incentive to make their way elsewhere in the world where the climate is far more friendly.

That is an underlying reason why the Government's strategy, as exemplified by the aggregates tax, is leading us down a treacherous path. The Government will wake one day to find their economic forecasts as unreliable and unsustainable as their tax forecasts have proved to be over the past four years.

I have many constituents—perhaps more than most Members—who are consultants. They have followed with great interest court proceedings against the Government over the infamous IR35. While the Government won that case, it was extraordinary—unprecedented, I believe—that anyone was allowed to bring a case in an English court of law against the Government on a tax measure. Although the case was lost, I believe that those who brought it won the principle and the argument. In particular, they exposed a disgraceful practice that the Inland Revenue intended to employ.

The Revenue was not going to apply the mutuality of obligation test—a critical test of whether someone is employed or self-employed. It appears that the Revenue told its staff that that test was not to be mentioned unless the taxpayer mentioned it first. That is a fundamental breach of duty. If we must have the hugely complex tax system that the Government have given us, Inland Revenue civil servants should, at least, give the taxpayer a level playing field. They should bring their expertise to bear fairly on the points brought before them. The Revenue should not hold cards up its sleeve to try to deceive taxpayers into putting themselves into a category in which they pay far more tax than they were intended to pay in reason or in what the House agreed to.

I hope that there will be sufficient opportunity in Committee to investigate the Government's proposals in more detail. It is clear, however, that they have set a course on which, given the chance, they will continue. If they return after a general election, there will be more stealth taxes, more complexity and far more barriers to business. At a time when the world economy is, at the very least, uncertain, that is the last recipe that we need if our country is to survive as the type of prosperous economy that the Government inherited four years ago.

9.14 pm

Mr. John Grogan (Selby): One of the mantras of the long-serving 19th-century Tory Prime Minister, Lord Liverpool, was a warning to his colleagues not to interfere with what he described as the "people's pleasures". During the past hour, we have heard powerful speeches about cigarettes and beer from the hon. Members for Guildford (Mr. St. Aubyn) and for North Dorset (Mr. Walter) and from my hon. Friend the Member for Barnsley, Central (Mr. Illsley), so it would be wrong to let the few minutes of the debate available for my speech pass without some reference to clause 6, which, to all intents and purposes, abolishes the existing duty on betting—another of the people's pleasures.

It is proposed that, from next January, duty will no longer be levied on bets, but that there will be a tax of 15 per cent. on bookmakers' gross profits. That is a great step forward.

At this point, I should declare an interest: I am still buying drinks with my modest profits from a bet on Red Marauder on Saturday. It followed a win on Papillon last year. Like many punters, I look forward to tax-free bets next year. Indeed, the only possible argument for the Prime Minister delaying the general election until next May is that we could all place tax-free bets on that possibility. That may, of course, not be the overwhelming argument.

The views of the industry are revealing. John Brown, chairman of William Hill, who is to be credited with coming up with many of the ideas that influenced the Chancellor, said:

"This is great news for the British punter, for UK plc and the Treasury . . . The punter wins, because this will make it possible to offer deduction-free betting for the first time since betting shops were introduced. The Treasury wins, because we will be able to repatriate our offshore operations, enabling the taxman to share in all the profits we make on our international business. UK plc wins, because we have a real opportunity to be the world leaders in online betting."

I shall briefly consider those three propositions. It is worth remembering that 50,000 people work in the betting industry, which is valued at between £6 billion and £7 billion. The forecasts for the development of e-betting show that it is not a future aspect of e-commerce; it is very much with us at present. A recent report from Merrill Lynch stated:

"UK gambling is poised to enter a golden era of long-term structural growth".

The global online market is set to soar to £123 billion by 2015.

The changes that the Chancellor is making to betting duty, combined with the strengths of the industry in this country—of integrity, which is recognised worldwide; of an IT infrastructure; and of a skilled work force—mean that the UK can look forward to being a dominant force in the industry. It is encouraging that William Hill, Coral and Ladbroke have all said that they will abandon their offshore operations and come back to the UK. The Tote is abandoning plans to set up in Malta. The industry has great prospects.

There are great prospects also for an increase in the Chancellor's tax take. He is taking a bit of a punt—a bit of a gamble; Treasury predictions are that if there is no increase in betting, the tax take could fall by about £150 million over the next two years—about a third of the current rate. However, all the predictions are that, as in Ireland, with a reduction in duty there will be a considerable increase in betting turnover and that, within a few years, the Treasury will take more in revenues than under the current system. Indeed, if it persisted with that system, given the threat of offshore betting, there is every likelihood that its take would decrease over the coming years, thus reducing the amount of money to be spent on schools and hospitals.

Finally, the measure will be good news for punters. Obviously, there must be an infrastructure to deal with problem gamblers. One should never forget that gambling causes a great deal of misery for some people and the industry must always be aware of that.

Ultimately, of course, we must all remember—even those of us who won on the grand national—that the bookmakers win. The effect of the Chancellor's measures would be that, if one started off with £100 to bet on horses or on football, the current tax take would allow one to make £460 of bets before all the money was lost. Under the Chancellor's new measures, that amount will increase to £700, but the bookmakers will get the whole £100, either way. However, I commend this neglected measure to the House.

9.20 pm

Mr. Howard Flight (Arundel and South Downs): The House has had an interesting debate on what is a tired and dull Finance Bill; it is hardly the radical, vote-winning stuff that we expected in an election year. The main measure is the new stealth tax—the aggregates tax. As my hon. Friend the Member for West Dorset (Mr. Letwin) said, that tax was not even mentioned in the Chancellor's speech. As with IR35, the defining measure of a stealth tax is whether the Chancellor mentions it in the Budget speech. Of course, there was no mention there of the 33 clauses that comprise the Budget's main new tax.

There are 292 pages of further tax complication. As various hon. Members have said, the volatility—nay the inaccuracy—of economic forecasts should cause the House to worry about the Government's economic judgment as we enter an economic period more difficult than the past eight years have been. When the Chief Secretary opened the debate, I could not help but think that his speech was motherhood and apple pie. Like the Budget and the Finance Bill, it had been drafted before the American economy started to go off a cliff and before stock markets fell seriously. We are likely to experience the knock-on effects in Britain. I do not know whether the Chief Secretary has seen the national institute figures for the first quarter, which came out at the end of last week. They estimate that growth will be only 0.3 per cent., and that growth for the year will be about 1 per cent. That still trails behind euroland and is hardly 2.6 per cent., but he confidently glossed over the fact in his speech.

The Chief Secretary concentrated on the progress of economic events that had broadly been forecast in 1996 by the then Conservative Chancellor, except that taxation has been some £28 billion per annum higher—about 3 per cent. of gross national product. I cannot resist referring to the Chief Secretary's comment, with which all Conservative Members agree, that a healthy economy and good investment require sound money. I assume that that was his code for saying that he cannot, therefore, support the euro, given that it is such a weak currency.

My hon. Friend the Member for West Dorset gave a splendidly cogent tour de force of the Bill and its background. We all know that there have been four years of taxation by stealth to build up the necessary surpluses, allegedly, to sweeten the electorate in an election year. The disappointment has been the fact that there has been little sign of the delivery of additional Government expenditure to date.

Dr. George Turner: The hon. Gentleman says that there has been no delivery. In Norfolk, the capital input from Government was £4 million in the final years of the previous Conservative Administration; it is nearly £30 million this year. Delivery is under way.

Mr. Flight: I thank the hon. Gentleman for that intervention; he makes my point. It is no good talking about the money—whether that point is true or false—because the question is about delivery. The hon. Member for Kingston and Surbiton (Mr. Davey) also said that actual expenditure on health and education was higher as a proportion of national income under the previous Administration than under this Government.

The main task of my hon. Friend the Member for West Dorset was to expose the 33 clauses that deal with the aggregates tax. It is not, in fact, a tax on aggregates, but a land tax. As the Chief Secretary's comments suggested, it echoes the development land tax. The aggregates tax and the climate change levy—which is also purely a

[Mr. Flight]

tax-raising measure—are the two main politically correct stealth taxes. The Government have not set in stone the promise that tax revenues will be offset by alleged reductions in national insurance.

Both taxes are designed to raise revenue and clothed in language that pleases the politically correct, but neither will benefit the economic life of our country. The climate change levy will severely damage manufacturing industry and the aggregates tax will put up the price of roads, housing and everything else that is built.

My hon. Friend hoped that the Government would at least accept amendments to measures outstanding from the previous Finance Bill, such as the new onshore pooling arrangements, the new arrangements for controlled foreign companies and fair taxation arrangements for restructuring. He also pointed out that, surprisingly, there was nothing in the Bill to deal with foot and mouth problems, but he has given clear notice of the issues on which we shall look to table amendments. Problems need to be anticipated. We should not just wait for things to happen, because the farming industry and related sectors are suffering from this terrible crisis.

The right hon. Member for Llanelli—*[Interruption.]* I apologise for my pronunciation—and I am a quarter Welsh, too. The right hon. Member for Llanelli (Mr. Davies) made an interesting speech. It is true that a lower rate of saving is partly a function of economic confidence, but it is usually a function of declining disposable incomes. The one statistic that has been glossed over is the fact that there has been a near halving of disposable income growth after tax in recent years. People have borrowed to finance consumption even though they have tried to keep up their gross savings.

The right hon. Gentleman echoed the worry that, in the current climate, there is the risk that people will seek to rebuild their savings too quickly and will cut their consumption substantially. That will cause economic volatility, so he argued in favour of fiscal management and he has a perfectly fair point. Monetary management is still necessary. We should never forget that the Federal Reserve's failure in the 1930s to keep up the money supply led to the great depression. The cause was monetary not fiscal.

The hon. Member for Kingston and Surbiton clearly asserted himself as a man of the 1980s, or perhaps the 1990s. He saw monetary policy as all important and attached less importance to the scope of fiscal policy. He said that the Chancellor had misinformed the Treasury Committee about the figures for taxation. The hon. Gentleman pointed out that the changes to European Union definitions meant that the 38 per cent. figure was roughly equivalent to 36 per cent., so it was not correct of the Chancellor to claim that there had been no change in the proportion of gross national product taken in taxes. Even if people are not aware of the specific figures, they are well aware of the fact that there has been a massive rise in the tax take as a result largely of the stealth taxes that have been inflicted upon us.

Mr. Levitt: Surely the rise in the tax take can be explained by the fact that fewer people are unemployed, so more people are working and paying tax, and by the economy's success, which means that more people are paying higher rate tax.

Mr. Flight: We could debate that at length, but the hon. Gentleman knows that corporation tax is the biggest source of increased tax revenue. That is due only in part to the growth of the economy; the substantial reason for its increase is the introduction of tax liabilities, the quarterly payment and the failure to reduce the thresholds. As usual, we have had the fine spin. It told us that corporation tax rates have been reduced, but the net effect of the policies has been to increase them greatly. The key point is that the tax take is up by £28 billion, which is substantiated in all quarters and by the Red Book. Any assertion by the Government that they have not upped taxes or increased them as a proportion of national income is manifestly wrong.

The hon. Member for Kingston and Surbiton also said that spending on health and education as a percentage of national income is lower under this Administration than under the previous Government.

The hon. Member for South Ribble (Mr. Borrow) began by suggesting that his constituents had been sceptical of the Labour Government's ability to increase public spending. That is hardly surprising given the poor delivery in recent years. I advise him to be a little sceptical of the Chancellor's promises. It is clearly impossible to maintain an increase in public spending of 3.7 per cent. per annum for long without increasing taxes substantially. If the electorate are foolish enough to return this Government, they will face either a spending cut or much higher taxes.

My hon. Friend the Member for Esher and Walton (Mr. Taylor) came out with some splendid phrases. He described the Finance Bill as tired, which explained why much of the debate centred on other subjects. He said that the Government had the misfortune to draft their Budget prior to the major change in global economic circumstances in the past two or three months. In particular, he said that they should be wary of the buoyancy of corporation tax, which they predict will rise by £5.7 billion in a climate in which corporate profits are under pressure. He also alluded to our economy's problems being a result of the euro's acute weakness and the lack of confidence in it. However, he did not refer to the German poll in which 75 per cent. of people wanted to keep the deutschmark.

Mr. Ian Taylor: My hon. Friend is immensely perceptive, but I am not sure that that is exactly what I said. The euro has been a stable and strong economy if one has regard to the internal effect of the store of value of money and the level of inflation. Of course there have been problems on the external exchanges. The strength and volatility of sterling is a major issue for the Government and the country.

Mr. Flight: I think that the euro is a currency, not an economy. If my hon. Friend spoke to any of his friends in Germany and France, they would be concerned about it being weak among the major currencies, when it should be a relatively strong reserve currency. For better or worse, the relative weakness of the euro against the dollar, with sterling in the middle, has been the problem for us.

My hon. Friend was the first to say how the high levels of tax on tobacco, alcohol and fuel have led to a massive increase in smuggling. He also referred to the

common-sense argument, which prevailed in the past, that it is unwise for taxation of such staples in this country to be hugely different from that in adjacent European countries. Indeed, as Labour Members will note, under the 18 years of Conservative Government the differences were much smaller than they are today.

My hon. Friend also referred to clause 103, which makes certain amendments to the climate change levy. He put it politely when he said that he had some support for the objective but doubted the means of achieving it. He referred in particular to the damage that will be done to the industrial gases industry. He also highlighted the continuing problems of IR35. If I understood the Paymaster General correctly, the measure having been passed, she is now inviting everyone to come to see her to achieve a sensible resolution of the many outstanding problems. It cannot be the Government's aim for the surviving high-tech economy in this country to be damaged by a foolish tax regime.

Attention was also drawn to the lack of anything in the Bill to implement the recommendations of the McDonald report and to end the obligation to buy an annuity at the age of 75. The Governor of the Bank of England has made it clear that he views long-term interest rates as artificially low in the yield curve owing to the distortions created by the obligation to buy an annuity. The volume of money coming on to the market from money purchase pension schemes is rising by 20 per cent. per annum, and it was about £9 billion last year. The Government have boasted of the gilts that they have bought in, but even they can see that soon there will not be enough gilts to go round to finance the annuities market.

McDonald's recommendations contain nothing that would cause a loss of revenue or constitute an additional cost, as has been asserted in recent replies, and the members of the McDonald committee will respond strongly to the Government's misapprehensions. Above all, those reaching retirement age strongly object to being obliged to subsidise Government borrowing by being forced to buy annuities at artificially low rates of interest. The effect is to lock them into bad value for the whole of their retirement.

The hon. Member for Cunningham, South (Mr. Donohoe) gave loyal support to his Government. In essence, he said that the Chancellor and the Budget were wonderful. He usefully drew attention to the problems caused by the different levels of prosperity in east and west Scotland, and sought more policing of the minimum wage legislation.

My right hon. Friend the Member for Fylde (Mr. Jack)—*[Laughter.]* There is something wrong with my pronunciation. I come from south of Watford. He pointed to the Chancellor's inability to resist the temptation to tweak the figures and echoed the criticism made by my hon. Friend the Member for West Dorset of the aggregates tax. My right hon. Friend usefully made the point that if the Government were seriously concerned about the environment, they would do something to protect fish spawning grounds in the mid-channel. Nothing in the aggregates tax addresses marine extraction; indeed, one of its effects will be to increase marine extraction.

My right hon. Friend referred to the iniquities of the climate change levy and the damage that it will do to the horticultural industry, which is dear to my heart. Given the considerably greater efficiency of that industry compared with most of its European competitors, there is no logic in that measure.

On another subject dear to my heart, my right hon. Friend welcomed the employee share ownership measures and the reforms of the enterprise management incentive scheme and venture capital trust rules. As I recollect, those changes adopt most of the recommendations made by the Opposition in the Standing Committee that considered last year's Finance Bill. My one plea is for those provisions to be made simpler. Such schemes are for small, unquoted companies. The legislation is so complex that those businesses will say that they cannot afford the lawyers necessary to explain and implement it. They need simpler legislation that works, not something that may be a wonderful deal, but is too complicated.

I remind the hon. Member for Coventry, South (Mr. Cunningham) that the Conservatives are modestly committed to paring back the Government's £72 billion spending commitments by a mere £8 billion, not £16 billion. I am sure that he will be pleased to know that all our sampling has told us that the Labour poster about the cuts has done us, not the Government, a great deal of good.

My hon. Friend the Member for North Dorset (Mr. Walter) made a valuable contribution by pointing out in considerable detail how excessive taxation of alcohol and tobacco has led to massive smuggling, reduced tax revenues by £5 billion and corrupted large numbers of citizens. That has all happened before. Historians among us may have heard of Parson Woodforde, a country clergyman who, like every other respectable member of society, used to buy his coffee from the smuggler. Over-taxed coffee had turned everyone into a coffee smuggler. The law of diminishing returns has not only reduced Government revenues, but vastly increased smuggling, which the Government are unable to tackle. I am sure that, had he been here, the Chancellor would have enjoyed my hon. Friend's contribution.

Many of my hon. Friend's comments were echoed by the hon. Member for Barnsley, Central (Mr. Illsley), who gave a frank and decent commentary on the Budget and expressed concern that the benefits to his constituency would be damaged by the local government settlement and the lack of health funding.

Finally, the hon. Member for Selsby—*[Interruption.]* The hon. Member for Selby (Mr. Grogan) gave us a fascinating exposition of clause 6. Would that the Government had followed the political incorrectness of clause 6 and acknowledged the realities of the world with the climate change levy and the aggregates tax. We welcome clause 6, which brings sanity to an industry and increases revenue. If the Government applied the same logic to IR35 and everything else, the Budget would be popular.

9.42 pm

The Paymaster General (Dawn Primarolo): I thank my right hon. Friend the Member for Llanelli (Mr. Davies) and my hon. Friends the Members for South Ribble (Mr. Borrow), for Cunninghame, South (Mr. Donohoe), for Coventry, South (Mr. Cunningham), for Barnsley, Central (Mr. Illsley) and for Selby (Mr. Grogan) for their contributions. I particularly congratulate my hon. Friend the Member for Selby on his excellent gain on Saturday. I understand why he can speak so eloquently about the reform of betting tax.

[Dawn Primarolo]

I also thank the hon. Members for West Dorset (Mr. Letwin), for Kingston and Surbiton (Mr. Davey), for Esher and Walton (Mr. Taylor), and for North Dorset (Mr. Walter), the right hon. Member for Fylde (Mr. Jack), the hon. Member for Guildford (Mr. St. Aubyn) and, finally, the hon. Member for Arundel and South Downs (Mr. Flight), who described the hon. Member for Kingston and Surbiton as a man of the 1980s. If I remember correctly, the hon. Member for Kingston and Surbiton would have been about 15 years of age at the beginning of the 1980s. I know that Liberal Democrats mature quickly, as they must because of the short tenure of their position in the House, but I do not believe that they mature that quickly.

The debate has been good humoured. We were entertained particularly by the closing remarks of the hon. Member for Arundel and South Downs. In the short time left to me, I shall answer the various points that have been made. Several hon. Members raised issues connected with foot and mouth disease and suggested measures that could be taken. I shall deal with those remarks towards the end of my speech.

The hon. Member for West Dorset commented on double taxation relief. I remind him that the changes announced when the pre-Budget report was published will enable companies to obtain relief for tax suffered of up to 45 per cent. in lower-tier subsidiaries. That and other changes will ensure that many companies do not need to restructure to obtain the relief. Of those that decide to restructure to optimise their tax position, many will be able to do so without a foreign tax cost. The hon. Gentleman will no doubt be aware that one of the reasons for multinationals' use of offshore holding companies is precisely to avoid tax on capital gains in respect of the sale of subsidiaries. He should be aware that companies that are setting up activities overseas for the first time will now be able to do so without the complications and costs that are involved in using an offshore holding company.

We hear a lot from the Opposition about unnecessary burdens and complexities. Under the previous Tory Government, however, the UK company investing abroad was forced to use an offshore holding company or be disadvantaged by the tax system. The new system ensures direct investment that is not penalised. I am sure that we will return to that matter in Committee.

The hon. Member for West Dorset expressed regret that the Government have not introduced a relief in the form of deferral or exemption. I am sure that British business deeply regrets the fact that the previous Government did nothing about that throughout their 18 years in office. The matter is currently subject to detailed consultation. I recall that the previous Government were not especially keen to consult people on business tax issues, but this is an important issue. Anyone with the best interests of British business at heart will want to ensure that the reform serves the competitive position of the UK for some years to come. Business has shown a strong desire to engage in discussions on the matter, and the Government have said that we plan to be committed to introducing legislation in the Finance Act 2002.

My hon. Friend the Member for South Ribble answered eloquently the points that were made by the hon. Member for Kingston and Surbiton. He is to be congratulated on the 13 business breakfasts that he has attended and on telling the House about all the matters that were debated during them. He is also to be congratulated on having visited 20 schools in his constituency since Christmas. Clearly, he can testify to the fact that the money is coming through in terms of investment and buildings. He also made a special plea about the research and development tax credit on vaccine development. I paid close attention to his points about consultation.

The hon. Member for Escher and Walton—[HON. MEMBERS: "Esher."] I am sorry, it is catching; I am sure that Front-Bench Members will continue to prompt me. The hon. Gentleman expressed regret that this was the least controversial Finance Bill, and went on to say that it was therefore of no benefit. Presumably, the Bill is not controversial because the Opposition agree with many of the measures that it contains. It is rather odd to hold the view that Finance Bills are good only if they can cause huge rows across the Floor of the House, instead of concentrating on whether they benefit our communities.

For instance, the hon. Gentleman did not comment on the children's tax credit or its extension in 2002 in respect of the baby tax credit. Neither did he refer to the extension of the working families tax credit, the reduction on duty for ultra-low sulphur diesel and petrol, the green technology challenge fund, changes in vehicle excise duty, the package of VAT measures to help small and medium-sized companies or the VAT reduction for museums and galleries. All those issues are relevant and important to the people who watch the proceedings of this House.

No Conservative Member who suggested that this was not a good Finance Bill pointed out that the Government were tackling climate change and improving air quality, or that they had put together a package to regenerate our towns and cities and to protect the countryside. Nor did any Conservative Member mention the VAT reforms in respect of housing for which the empty homes campaign had lobbied so long and hard. All those moves will immediately benefit the community, but Conservative Members say that the Bill is not relevant and does not matter. That just shows how out of touch they are with the priorities of people outside and what those people want to be changed.

The right hon. Member for Fylde made a number of comments about foot and mouth, to which I shall return; but for some reason he specifically alighted on the subject of VAT on children's car seats. Perhaps I can help him a little. In 1999, more than 1,000 children were killed or seriously injured while travelling by car. If children are to be protected, it is vital that they sit in children's safety seats that are appropriate to their age, weight and height, meet the latest safety standards and are correctly fitted each time they are used. Some parents currently use second-hand car seats that may or may not meet the latest safety standards. We therefore considered it right to cut VAT on brand-new, better-quality car seats by some £15. I am sure that that has given the right hon. Gentleman more of an answer than he received in response to his parliamentary questions, but if he wants more detail I shall be happy to give it to him.

The hon. Member for West Dorset referred specifically to tobacco receipts. The fall in revenue receipts in 1999–2000 was due primarily to changes in the timing of

the Budget and changes in duty rates. The revenue receipts for 2000–01 have exceeded the Revenue's forecast.

There are a few points that need to be made again. The vast majority of cigarettes that are smuggled are smuggled from beyond the European Union: they come from places where there is no duty on such products. The Government have clearly stated that they will not allow criminals to dictate either our tax or our health policies—of which tax is the prime mover.

The hon. Member for Arundel and South Downs spoke of harmonising duty rates. I remind him that harmonisation with French duty rates would cost £1.5 billion. A man who describes a reduction of £8 billion or £16 billion in public expenditure as necessitating merely a pruning, rather than a cutting, of public services needs to be more careful about making such sweeping statements.

The Government's strategy of using £209 million over three years to clamp down on smuggling is having results. In the first nine months of this year, 2.1 billion cigarettes did not reach the United Kingdom, or were prevented from being circulated in the United Kingdom, and 6,700 vehicles were seized from people trying to smuggle products into this country. Smuggling of tobacco products is a terrible scourge of our community: it undermines legitimate trade, increases criminality—as was pointed out by my hon. Friend the Member for Barnsley, Central—and denies the Exchequer the money to which it is entitled. It also undermines our health policy. The Government's tactics are the right way to deal with smuggling.

Mr. St. Aubyn: Will the Paymaster General give way?

Dawn Primarolo: My time has been shortened because the hon. Member for Arundel and South Downs spoke for longer than had been agreed. I will say what I want to say about foot and mouth disease, and I will return to the hon. Gentleman if there is time.

The hon. Member for West Dorset asserted that Customs and Excise was not paying back input VAT quickly enough and that that was causing problems. When he was pressed, he said that problems might be caused in future. The tax authorities are required to repay within 30 days, and the arrangements that the Government have put in place will ensure that the return is made as quickly as possible. If he has examples of cases where that is not occurring, he must surely bring them to the attention of the authorities.

The hon. Gentleman referred also to the working families tax credit and those who are in tied accommodation and have a second home, and the capital value of the second home counting towards the capital that is held as a family, which meant that they were not entitled to the tax credit. The situation is slightly more complex than that for people who are in tied accommodation. However, there are ways in which the situation can be dealt with. A great deal of information is being given to communities that are suffering from the economic effects of foot and mouth, whether in tourism, the food industry or farming. The latest information about people's rights to receive benefits comes from the Benefits Agency. I understand that the leaflet is about to go on to the internet. It is being circulated to the communities to which I have referred.

The right hon. Member for Fylde asked a series of questions about our enterprise investment schemes, venture capital schemes and venture capital trusts. In particular, he asked that further consideration be given to the qualifying conditions. He was generous in saying that he did not expect a response immediately from me this evening, and I am grateful for that. I will consider carefully what he said. I think that he acknowledged that the Government were not in a position to give blanket exemptions in major parts of the tax system.

The right hon. Gentleman mentioned roll-over relief for agriculture. The Government extended it to six years in December 2000. Again, I will pay careful attention to his arguments. Where help already exists within the tax system or through sensitive application of the system, we can help communities. I am sure that all hon. Members would expect us to do so. As part of that, the Treasury, Customs and Excise and the Inland Revenue have been working hard to identify ways in which the Government can offer practical help to businesses in rural areas that are being damaged by the outbreak of foot and mouth. They will continue carefully to examine all the suggestions that are coming forward.

We want rural businesses to survive, and to survive the outbreak. They need to continue to generate jobs and prosperity for our communities. However, the Government have done a great deal, including many things for the non-farming business community in rural areas: there are powers to grant hardship rate relief, the introduction of a small firms' loan guarantee scheme, and the work that the Inland Revenue and Customs and Excise can do to give as much help as they can to local communities. An emergency helpline operates seven days a week from 7 am to 12 pm. The very companies that the hon. Member for West Dorset said could be anticipating problems should be contacting that helpline before problems occur, not afterwards. In those ways, we shall be able to ensure that we are giving the maximum help that we can to the communities that are affected.

The Bill contains support for families and for pensioners. It sets out clearly a choice for Britain's future. The Government are building on a platform of economic stability as a foundation for future prosperity. We have made the choice to build on that stability. We have chosen to invest more in our public services, not less. We have made sensible tax cuts for hard-working families. There will not be under-investment and cuts in public services, which are the undeniable consequences of the Conservative party's policies.

The Finance Bill is a measure for families and children, and it will tackle poverty and unemployment among our poorest communities. It is a Bill for companies; it will help Britain's businesses grow and secure a long-term rise in prosperity for all. I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 319, Noes 175.

Division No. 183] **[10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John

Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Healey, John
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David

White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wiltshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Bill read a Second time.

Finance Bill (Programme)

10.14 pm

The Paymaster General: I beg to move,

That the following provisions shall apply to the Finance Bill:—

Committee

1.—(1) Clauses 1 to 3 and 16 to 53 and Schedules 4 to 11 shall be committed to a Committee of the whole House.

(2) The remainder of the Bill shall be committed to a Standing Committee.

2.—(1) Proceedings in Committee of the whole House shall be completed in two allotted days.

(2) The proceedings to tbe taken on each of those allotted days shall be as shown in the second column, and shall be brought to a conclusion at the times specified in the third column, of the following Table:—

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	Clauses 16 to 22	7.00 p.m.
	Clauses 23 and 24, Schedule 4, Clauses 25 to 27, Schedule 5, Clause 28, Schedule 6, Clause 29, Schedule 7, Clause 30	9.00 p.m.
	Clauses 31 and 32, Schedule 8, Clauses 33 to 35, Schedule 9, Clauses 36 to 46, Schedule 10, Clauses 47 to 49	Midnight
Second Day	Clauses 1 to 3	7.00 p.m.
	Clauses 50 to 53 and Schedule 11	10.00 p.m.

(3) If either of those allotted days is Thursday, the times specified for that allotted day in the third column of the Table are brought forward by three hours.

(4) On the first of those allotted days, paragraph (1) of Standing Order No. 15 (Exempted business) shall, notwithstanding sub-paragraph (a) of that paragraph, apply to the proceedings on the Bill for only two hours after ten o'clock or, if that day is Thursday, for only two hours after seven o'clock.

(5) On that allotted day, any period during which proceedings on the Bill may be proceeded with after ten o'clock (or, if that day is Thursday, seven o'clock) by virtue of paragraph (4) or (5) of Sessional Order I (provision in the event of a debate under Standing Order No. 24) made by the House of 7th November 2000 shall be in addition to that period of two hours.

(6) Sessional Order B (Programming Committees) made by the House on 7th November 2000 shall not apply to proceedings in Committee of the whole House.

(7) An allotted day is one on which the Bill is put down as first Government Order of the day.

3.—(1) The Standing Committee shall have leave to sit twice on the first day on which it shall meet.

(2) Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 24th May 2001.

4. When the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill shall be proceeded with as if it had been reported as a whole to the House from the Standing Committee.

The motion sets out the allocation of the various clauses and schedules of the Finance Bill between the Committee of the whole House and the Standing Committee.

The motion also sets out the timetable for the clauses and schedules to be debated in the Committee of the whole House. On the first day, it will discuss clauses and schedules on the aggregates levy, and on the second day it will consider clauses and schedules on hydrocarbon oil duties and income tax.

There is a lot of business to get through on the first day, so the motion provides for a midnight finish. On the second day, there will be fewer clauses and schedules, so it provides for the normal 10 o'clock finish. It also specifies that the proceedings of the Standing Committee shall be completed by Thursday 24 May, which will allow for a total maximum of 18 Standing Committee sittings.

10.15 pm

Mr. Letwin: The programme motion has two deficiencies: it is the wrong motion, and it is wrong to have it in the first place: otherwise, it is perfect.

What is wrong with the motion? I do not quite know the answer. I do not know what error the Whips fell into, but I know what the whole process illustrates. The Paymaster General and I had a conversation some time ago in which she properly and generously offered to allow us to debate what we wanted in the Committee of the whole House. We wanted to debate the items that I described on Second Reading.

Had there not been this barbaric and unusual practice of introducing programme motions, which have never before been imposed on a Finance Bill, there would have been no problem, because there would have been agreement through the usual channels. Even Treasury Ministers, in an honest moment, will accept that, during the entire proceedings on last year's Finance Bill we never once sought to filibuster or prolong proceedings unnecessarily. We treated the Bill seriously and helped constructively to improve various parts of it. Of course we had arguments with the Government, but we never sought to create unnecessary delay.

This year, simply because the Government are wedded to programme motions, they are curtailing debate on the Finance Bill. That is shown by the fact that it has proved impossible to come up with the right kind of programme motion, because the new clauses for which time in the first day in Committee of the whole House should have been allocated—I hope that it will be allocated in a subsequent motion tomorrow—could not have been tabled at the time when the motion was constructed, because it is a rule of the House that one cannot table amendments or new clauses before the completion of Second Reading. There was a structural inability to produce a programme motion to allow the debate that is by convention allowed on the Floor of the House on matters of concern to the Opposition.

A Finance Bill is the centrepiece of our democratic system—the Gladstonian system of control—and if we cannot debate on the Floor of the House what the Opposition consider to be essential propositions related to it, we are very close to the end of parliamentary democracy. I do not say that the Government intended that result, but they brought it about through their dogmatic adherence to programme motions and their inability, or that of their business managers, to recognise that if one tries to draft such a motion in the absence of the new clauses, because under the rules of the House they could not be tabled, one will end up with the wrong debate on the wrong subject, which is what has happened.

The problem goes wider and relates to the very idea of programme motions. The problem is not, with the exception that I have outlined, that the substance of the motion is obnoxious—Thursday 24 May is a reasonable date—but that there is something wrong altogether with the idea that there should be imposed on Parliament a time limit for debate on matters that are necessarily complex. I admit that, on this year's Finance Bill, because there is not so much material and the matters are not so contentious, it is unlikely that our debate would have extended beyond 24 May.

Mr. Douglas Hogg (Sleaford and North Hykeham): My hon. Friend made the point that these are very technical matters. He will get representations from the accountancy profession and others on the content of the Bill. That being so, does he agree that we do not and cannot know whether 24 May is, or is not, an appropriate end date?

Mr. Letwin: I was coming to that precise point. The Bill is relatively uncontroversial, with the exception of the aggregates tax in its current form, but it involves complex and technical matters, so we cannot know how the debate will carry us as we proceed. However, last year's Finance Bill, which may be a precursor of next year's Finance Bill and other future Finance Bills, was 500 pages long and dealt with immensely complex matters. On that evidence, no one can be expected to make even a reasonable guess at the right date.

We are establishing a precedent for successive attempts by the Government to guess the right date for the end of debate on a Finance Bill that, as I said, is an attack on something that is fundamental to the nature of our democracy. I do not know what, if anything, still makes the House of Commons important; perhaps Ministers regard it as wholly unimportant. However, if it has any importance, the scrutiny of Finance Bills is at the centre of that importance. The power of the House to give the Government money to spend confers on the House such power as it possesses over other matters. Had it not established the right to control taxation some centuries ago, it would not have established the power over the Executive that it then developed.

By any account, a Finance Bill is at the centre of our democracy. An attempt to guess in advance how long it will take to cash out the details of what is often an immensely complicated piece of legislation is an attempt to stifle to debate. Conservative Members will have nothing to do with that. As a result of dogmatic adherence to the idea of programme motions, the Government have managed to come up with what is, even by their own standards, the wrong programme motion. I shall therefore urge my right hon. and hon. Friends to oppose it.

10.22 pm

Mr. Edward Davey: Liberal Democrat Members support the argument of the hon. Member for West Dorset (Mr. Letwin). In many debates on programme motions, my hon. Friend the Member for North Cornwall (Mr. Tyler) has expressed our principled opposition to such motions, but tonight our arguments involve both the principle and the substance of the motion on the Order Paper. As the hon. Member for West Dorset said, Opposition Front Bench spokesmen were contacted by Ministers, who asked courteously what we wished to debate in the Committee of the whole House. Liberal Democrat Members made it clear that they wished to table new clauses and to debate issues, especially in relation to foot and mouth. We wished to make sure that such issues were debated in a Committee of the whole House because they are important. Foot and mouth is not a minor matter; it affects the whole country, not just rural areas, as I made clear in my speech on Second Reading.

Both Opposition parties feel strongly about that important matter, and we should be able to debate a new clause on how to reduce the tax burden on industries hit by foot and mouth. That is our main concern about the substance of the motion: it does not enable the Committee of the whole House to debate new clauses that could relieve the tax burden confronting sectors hit by foot and mouth. I anticipate that, in replying to the debate, the Paymaster General will say that there is no precedent for debating new clauses in a Committee of the whole House. However, given the grave crisis before us, I submit that we should set a precedent. What is wrong in principle with a Committee of the whole House debating a new clause to the Finance Bill? There is nothing wrong with that. It is disgraceful for Treasury Ministers to dismiss that notion as outrageous.

Mr. Letwin: Does the hon. Gentleman agree that it would be difficult for the Government to use that argument in any event, because there certainly is precedent—from last year and many other years—for debating amendments? The procedure that the Government have used in this case has prevented us from debating amendments on the Floor of the House.

Mr. Davey: The hon. Gentleman is right. The Government talk about modernising the procedures of the House, yet here we have an example of where we could modernise and debate issues of key importance to our country.

I ask Ministers to state where in "Erskine May" or the Standing Orders there is a barrier preventing us from debating new clauses. If they cannot produce that barrier, could they not come back to the House tomorrow with a new motion to enable Opposition parties to table new clauses, so that we could debate the way in which we can help the struggling sectors of our economy?

10.25 pm

Sir Patrick Cormack (South Staffordshire): This is yet another example of the Government riding roughshod over the House of Commons, and it is disgraceful. It is interesting that no Labour Member stood to defend the motion, which the Paymaster General moved in a most perfunctory manner. She did not attempt to justify it and merely said what we would be discussing.

This is a programme motion too far. The Finance Bill is—using the word properly—a unique part of the parliamentary calendar; this is where the House of Commons, properly, has full control. This is where the House of Commons, as my hon. Friend the Member for Macclesfield (Mr. Winterton) has said, must vote Supply, exercise its judgment and call the Government to account properly.

As my hon. Friend the Member for West Dorset (Mr. Letwin) said in his admirable speech, last year—notwithstanding the fact that the Government have an

[Sir Patrick Cormack]

enormous majority—the Finance Bill was improved as a result of rigorous scrutiny and proper debate. For the Government to deny opportunity in this way and to place a straitjacket on the House of Commons is an insult, not just to Her Majesty's Loyal Opposition and the other Opposition parties, but to the whole House of Commons.

Mr. Hogg: Does my hon. Friend accept that the Government have often relied on the other place to cure Bills in respect of which they have imposed a timetable but that, in respect of the Finance Bill, the other place is under particular inhibitions in curing errors?

Sir Patrick Cormack: Of course, and that is why I referred to the Bill as unique. The other place, quite rightly, has no control over supply. What it can say about financial matters is, by precedent and by statute, limited, as the Government know only too well. The motion is an insult to every single Member of the House of Commons. It is not just a question of rubbing the noses of the Opposition parties in it. The Government, with high-handed arrogance, are saying what we will do on particular days and in what way we will debate the clauses.

The hon. Member for Kingston and Surbiton (Mr. Davey) made a good point when he talked about the new clauses that we would have wished to debate on foot and mouth. We are gripped by a crisis, the like of which the British countryside has not seen for a century or more, but the House of Commons has not been given a single opportunity by the Government to debate foot and mouth. The Opposition have provided two opportunities.

There is nothing in the parliamentary calender, as far as one knows from the business announced last week, to enable us to debate foot and mouth in the foreseeable future. Yet on 23 and 24 April, it would have been possible for Members with real knowledge and experience of the countryside—we are getting stories every day, some of which are immensely tragic—to debate these things. In our new clauses, we could have made suggestions on which, we hope, the Government would look sympathetically.

Ministers always talk, as the Minister of Agriculture, Fisheries and Food did this afternoon, about wanting a bipartisan approach. They want us to tackle this great crisis together, they say. We are more than willing to do so, and, to be fair, so are the Liberal Democrats. There is no opposition to acting in that way, but when the Government set us the example of this motion, what do they expect? It is disgraceful that we should be faced with such a motion.

The hon. Member for Kingston and Surbiton mentioned precedent. When Ministers return to the Treasury, I hope that they will reflect on the precedent that they are setting tonight. When the mantle of power passes to my party—as it undoubtedly will, either at the next general election as I devoutly hope and believe, or at some subsequent one—they will not want to be ridden over as roughshod as they are riding over us. If they have the duty of scrutinising a Finance Bill from the Opposition Benches, they will not want it to be subject to diktat from the Government of the day.

A Government with a majority as immense as that enjoyed by the present Government have an obligation even greater than that of a Government with a narrow majority to have regard to the niceties of parliamentary democracy. The Government have, time after time, shown scant regard—indeed, contempt—for the House of Commons. Never have they shown it more graphically than in the motion perfunctorily and embarrassingly moved by the Paymaster General this evening. I hope that every hon. Member will vote against it. I hope that Labour Members will recognise what is happening and will, at the very least, have the decency to abstain.

10.32 pm

Mr. Tom King (Bridgwater): I have not before spoken on a programme motion, and I did not expect to do so tonight. As I listened, however, to the Minister, my hon. Friend the Member for West Dorset (Mr. Letwin) and the hon. Member for Kingston and Surbiton (Mr. Davey), I was struck by the decision to curtail any opportunity to speak about the problems faced by people in our country at present. We have questions about the Treasury position, but there will be no opportunity to move any amendment or make any proposal that might help.

That announcement followed the earlier confirmation by the Minister of Agriculture, Fisheries and Food that there will be no statement tomorrow about the rural taskforce, the chairman of which appears to have disappeared without trace. There will be no statement on whether there will be any help beyond the inadequate measures that the Paymaster General faithfully read from her brief. She told us about the Inland Revenue, value added tax, encouraging banks to be sympathetic and the small business guaranteed loans scheme. *[Interruption.]* I am sorry if the Paymaster General does not know that those are the Government's proposals, but that is what she said about being helpful. She may not have known what her own proposals were, but they are in the Government advertisement that is advising people on what assistance is available.

The Chief Secretary can take some pride in having played a part in accumulating a substantial Government surplus, so he cannot plead a shortage of funds for the one-off crisis that we face. He has made a point of saying, in fact, that the Government are flush with funds, and the Chancellor certainly did not understate that case in his Budget statement. Since the Chief Secretary is here, I must tell him that it is widely believed that the Treasury is blocking matters. It has been reported, and I have it on good authority, that the chairman of the taskforce, the Minister for the Environment, was going to make a statement last week—

Mr. Speaker: Order. We are debating a programme motion, and the right hon. Gentleman is going beyond its scope.

Mr. King: I accept that, Mr. Speaker. The point that I am trying to make, however, is that the programme motion allows us no opportunity to bring before Treasury Ministers the case that must be made. We want to table amendments, for which I understand no time is provided. That complaint has been made by spokesmen on the Conservative and Liberal Democrat Front Benches and is entirely in accordance with the motion.

Why do we want additional time under the programme motion? It is because the Government are concerned about tourism; I believe that the Prime Minister is genuine

about that. In my constituency, agriculture and tourism are closely interlinked. The hon. Member for Somerton and Frome (Mr. Heath) is in the Chamber, as are other hon. Members who know Exmoor and Dartmoor. Anyone who represents a rural constituency knows about the problems for businesses at present. At this time last year, a business in my constituency had a turnover of £25,000; for the comparable period this year, the amount was £9.47.

In those circumstances, it is no good telling people that they will receive a VAT refund or that the Inland Revenue will look sympathetically at their problems. It is no good telling a chap that he can have a guaranteed loan under the small business scheme when he will have to pay 8.5 per cent. and add to his borrowings and outgoings.

My right hon. Friend the Member for Richmond, Yorks (Mr. Hague) made proposals in as bipartisan a way as he could and gave the Prime Minister time to consider them. Unless the Treasury is prepared to put in real money and to offer interest-free loans, we can forget the rest. I would not bother about it—it is a waste of money. If other schemes are to be proposed—

Mr. Speaker: Order. The right hon. Gentleman is a very experienced Member of the House. As I said to him, this is a programme motion; he puts a case that must surely relate to the Finance Bill itself. He must talk about the programme motion.

Mr. King: I apologise, Mr. Speaker. It is entirely my fault for not making my case earlier.

My case is that there must be time under the programme motion for Opposition Members and Government Members, who care deeply about the issues and who see inadequacies in the Bill, to move amendments. The motion does not provide enough time for that. I thus have to make the case for why more time is necessary—indeed, imperative. That needs an understanding of the situation. I am trying to point out clearly to Treasury Ministers that the worrying situation in the tourism industry needs more than temporary palliatives; we must have more time to move amendments to the Bill.

With your courtesy, Mr. Speaker, perhaps you will let me give one fact. I was talking to Business Link advisers today. They told me that people in the tourism industry initially thought that the problem would last between four and six weeks. They considered their financial situation and thought that they could just about sweat it out. However, what has just hit them is the realisation that the problem will certainly last for six months and that, because their season is only six months, this year is a write-off.

If the Government said that that was tough and that people cannot expect the Government to help—that we cannot expect public money to be given to individual private businesses—that would be their position, although I would not agree with it.

Mr. Paul Tyler (North Cornwall): In support of the right hon. Gentleman's point that the programme motion is wholly inadequate, he might be interested to learn that I and my right hon. and hon. Friends met representatives of all four clearing banks today. Their view is that six months is an underestimate of the time that it is likely to take to move beyond the crisis.

Mr. King: If there is not to be a statement, we must find a way to deal with the matter in the Finance Bill. There must be time during its proceedings to table amendments that address the problem. The situation is grave. We are about to go into recess and will return in two weeks. During that Easter period, people will have experienced the effects of the problem in various ways—through the banks, for example. After the recess, it may be too late to deal with the matter.

I take this opportunity to tell Treasury Ministers how grave the situation is. It will not take long to prove me right or wrong.

10.39 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise to support what my hon. Friend the Member for West Dorset (Mr. Letwin) has said. I suppose that I have spoken in a dozen programme motion debates, and it gives me no pleasure to have had to do so, but I am deeply opposed to programme motions in general. They are wholly offensive, and they are yet more offensive when they relate to Finance Bills.

I want to put before the House a number of objections, the first of which builds on a point made by my hon. Friend the Member for South Staffordshire (Sir P. Cormack). The control of Supply is the beginning of the authority of the House of Commons. If we go back in the history of the House—*[Interruption.]* Hon. Members may sneer, but one needs to keep a grip on history. When we got a grip on Supply, we began to diminish the control that the Executive exercised over the people. When control over Supply is lost, the control that Government have over the people is enhanced. I do not want to enhance the control that any Government have over the people—far less that lot over there. Thus on a Finance Bill more than most, a timetable motion is contemptuous of the House and its history.

I come to a point—my second, not my last—made by my right hon. Friend the Member for Bridgwater (Mr. King). In all Governments, the Treasury exercises a very great control. I suspect that, with the current Chancellor of the Exchequer, this Government seek to exercise yet greater control—but they do it from the shadows. They are seldom exposed to public argument; they do things in Cabinet Committees. *[Interruption.]* There is no point in hon. Members making moaning noises. I speak with authority; I have attended endless Cabinet Committees, and I speak from considerable experience.

In the end, the Treasury exercises almost total control over the affairs of other Departments, so Finance Bills are a particularly important way for the House, by amendments and new clauses, to express to Treasury Ministers—even inadequate ones, as we have now—the concerns that affect our constituents and the House. When the debate on the Finance Bill is restricted so that Treasury Ministers are not exposed to arguments from the Opposition or elsewhere, the quality of government, not to mention democracy, is seriously diminished.

There was an interesting little piece from the Paymaster General. She said that we shall be very busy on the first day in Committee on the Floor of the House. However, she did not reflect on the fact that while we may be busy on her business, she does not know what my hon. Friend the Member for West Dorset, those on the Liberal Democrat Front Benches or those on the Conservative Back Benches will table. So the truth is that we shall be

[Mr. Douglas Hogg]

busy dealing with Government business, but no attention at all has been paid to the business that the rest of us will introduce. Where lies the democracy in that?

Mr. Letwin: Is my right hon. and learned Friend aware that the Treasury knows one fact—because of the way in which it has designed the programme motion, it will be necessary for hon. Members, especially those in the Opposition parties, to table amendments on 33 of 108 clauses within 24 hours of the time when it was first possible to do so, and without the benefit of consulting industry, which would be the normal practice under such circumstances? Is that not absolutely astonishing?

Mr. Hogg: It is absolutely astonishing. The Bill is 292 pages long and the timetable motion provides for two days of debate on the Floor of the House, but we have not yet had an opportunity to table a single amendment or new clause. No one can tell whether we will have sufficient time to debate the clauses that have been grouped for those days. That is an absolute scandal.

You and I, Mr. Speaker, arrived in the House at the same time, so you know I have been here a long time. Let me say in deference to my hon. Friends in the Whips office—they always like to know the intentions of Back Benchers—that I propose to stay here a lot longer. The interpretation of the Finance Bill and the consequences for the taxpayer are usually a matter of considerable difficulty for the courts, but those consequences are critical. Our ability, and that of our constituents, to pay taxes, and their liability for penalties if they get things wrong, are the consequences of the business that we do on the Floor of the House and in Committee. If debates are so constrained that the Finance Bill is not properly considered, we can be sure that the law will be in error.

Mr. Geraint Davies (Croydon, Central): Does the right hon. and learned Gentleman agree that the Bill has already been out for 10 days? I urge him to use the time available in the recess constructively to consult industry so that he can achieve the results that he wants.

Mr. Hogg: It is clear to anyone who has just heard that intervention that the hon. Gentleman, wherever he comes from, has no idea about legislation. Does he suppose for a moment that interested groups—accountants, lawyers, tax specialists, my constituents and even his constituents—have got to grips with this Finance Bill? Does he suppose that they will spend the Easter recess pondering it? That is nonsense. Only the folly of those on the Government Benches would lead to the suggestion that that would happen.

Mr. Letwin: My right hon. and learned Friend is being much too charitable to the hon. Member for Croydon, Central (Mr. Davies). I am sure that my right hon. and learned Friend realises—I do not know whether the hon. Gentleman does—that if people spent the recess considering those matters, it would not do the blindest bit of good, because the Standing Orders of the House mean that we cannot table amendments following the recess.

Mr. Hogg: That is right. I hope that I have not been unduly generous to the hon. Gentleman; that was not my intention. He and the Labour party have been undermining democracy since 1997. I, for one, have had enough of it. This place is being treated in a scandalous, discourteous and tyrannical manner, and it is the business of the House to protest, protest and protest again.

Mr. Crispin Blunt (Reigate): Is my right hon. and learned Friend's argument not supported by the fact that the Government know how badly they are behaving, because they have not yet dared to bring forward motion 2, under "Remaining Orders and Notices", on the conduct of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) and three of my—

Mr. Speaker: Order. We are debating the programme motion.

Mr. Hogg: My hon. Friend may very well be right, but I suspect that, if I tried to expand on that line of argument, you, Mr. Speaker, would call me to order.

Mr. Bercow *rose—*

Mr. Hogg: It is always a pleasure to give way to my hon. Friend.

Mr. Bercow: In the context of the programme motion, what does my right hon. and learned Friend think is the relationship between the time available for debate and Treasury Ministers' comprehension of the Bill? Does he not agree that one reason why those on the Treasury Bench are reluctant to have adequate debate on the subject is that they know that allowing such an opportunity would enable the Confederation of British Industry, the Institute of Directors, the Federation of Small Businesses, the Forum of Private Business and the British Chambers of Commerce to develop in detail their critiques of the Bill?

Mr. Hogg: My hon. Friend makes a serious point. I had charge of many Bills and took, I suppose, 12 or 15 of them through the House. I was not too bad at doing that and came to one clear view: no Minister can handle more than about 30 clauses, top whack. I suspect that two or three junior Ministers who are not up to the job will be responsible for the Bill. They do not like lengthy scrutiny because it proves their inadequacy. That is why they want the Bill to be completed after two days on the Floor of the House and out of Committee by 24 May. They know that an extended Committee stage—no matter where it takes place—exposes them to the criticism that they are unable to withstand because they are personally incompetent.

I want to summarise my objection—*[Interruption.]*

Mr. Speaker: Order. The right hon. and learned Gentleman is entitled to a hearing.

Mr. Hogg: Let me take advantage of—*[Interruption.]*

Mr. Speaker: Order. I gave an instruction, and I expect better from a senior Whip.

Mr. Hogg: I want to take advantage of this burble to say that I shall never be shouted down, or intimidated by, Labour Members because, in truth, I despise them. For the past four years or so, they have consistently and persistently—

Mr. Speaker: Order. I remind the right hon. and learned Gentleman that we are entitled to hear temperate language. I do not expect him use the word "despise". *[Interruption.]* Mr. Bercow, you talk too much.

Mr. Hogg: Never has my hon. Friend talked too much in my hearing. I am sorry that you do not feel the same way, Mr. Speaker. If "despise" is too strong, perhaps you will accept the term "hold in disregard". I hold Labour Members in disregard because, since 1997, they have consistently and persistently undermined democracy in this place. Some did it knowingly; the others have no business being here.

The significance of the fact that we are debating a Finance Bill is lost on Labour Members because they do not understand our history. They think that the Bill can be tucked away as if it were nothing. Well, it cannot. In addition, they are denying my right hon. Friend the Member for Bridgwater, who has served in the House for 20 or 30 years, the opportunity to raise on behalf of his constituents matters of fundamental importance, especially to the agricultural sector. They are also denying hon. Members the opportunity to ensure that legislation is put in proper order. Those are grave failings.

Mr. Edward Leigh (Gainsborough): The charitable view of the Government's approach is that, to use their language, they are trying to modernise our procedures, but why does that always appear to result in less, rather than more scrutiny? Surely it will be possible for the incoming Conservative Government both to modernise our procedures and to increase scrutiny.

Mr. Hogg: My hon. Friend—my constituency neighbour—is right. When Labour Members talk about modernisation, they always mean reducing scrutiny. That is characteristic of the Government. When we get back into power, it will be my business, and that of my hon. Friend, to ensure that we increase scrutiny; in fact, we will do that whichever party is in power.

10.54 pm

Mr. Tim Loughton (East Worthing and Shoreham): When I came here this evening I did not intend to make a contribution, but given the passion with which my right hon. and hon. Friends have made their case, I felt minded to make my few points. Night after night, we have sat through the charade in the democratic process that is the debate on the programme motion. This one is a programme motion too far. Programming consideration of a Finance Bill is an absolute abuse of the House. My right hon. and hon. Friends were right to say that the perfunctory, nonchalant way in which the motion was moved by the Paymaster General was beneath contempt.

In my short time in the House, I have sat on two Finance Bill Committees, and at no point during those proceedings was there any filibustering by Conservative Members. If there had been, the Chairman would have ruled us out of order. My experience of those Committees is that the longer they go on, the more the wheels fall off the Government's wagon; and the more details emerge from the clauses, the more lacking the Government's case is felt to be.

Why do the Government feel it necessary to guillotine consideration of this Bill? What is the urgency? After all, the Budget speech was over a month ago. The Government have had plenty of time to initiate these proceedings. This is the most important legislation in the parliamentary calendar, but we have been messing around with minor Bills in the past month, so why the hurry now? Will it not appear strange to the public that the day before the House breaks for a two-week recess, the Government are steamrollering through the House a programme motion to curtail debate on the most important legislation in the parliamentary year? It will appear very odd indeed to my constituents.

As my hon. Friend the Member for South Staffordshire (Sir P. Cormack) said, the Bill is unique. There might just be a case, as the Government always try to make out, for saying that Bills might be frustrated in the other place and that their Lordships might seek to prolong debate beyond the time that is legitimately required. However, that case cannot be made with the Finance Bill, because their Lordships have limited powers in that respect.

Is it not also disgraceful that the Government have singularly failed to live up to some of the timetables that they have sought to impose on measures in the Finance Bill? Only last week, we heard that the introduction of stamp duty exemptions for deprived areas, which were promised at the beginning of the new financial year, which was last week, have been postponed because the Government are incapable of coming up with the details. As we warned at the time, the measures that were heralded in the pre-Budget report, and which the Chancellor proposed in the Budget, would result in people who owned houses worth £750,000 in places such as Islington getting a £40,000 windfall. Yet it has taken the Government until now to work out that there are serious problems with the measures. The Government have failed on their own timetable, but tonight they are trying to impose a timetable on consideration of the entire Bill and its passage through Parliament. Is that not yet another abuse of the whole system?

As other hon. Members have said, the foot and mouth situation is fast moving—

It being forty-five minutes after the commencement of proceedings on the motion, Mr. Speaker *put the Question, pursuant to Order [7 November 2000].*

The House divided: Ayes 303, Noes 158.

Division No. 184] **[10.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Anderson, Rt Hon Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel

Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Healey, John
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Rt Hon Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Joyce, Eric
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Shaw, Jonathan
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Graham Allen and
Mr. Mike Hall.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Bercow, John

Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McCrea, Dr William
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Page, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Owen Paterson and
Mr. Stephen Day.

Question accordingly agreed to.

Ordered,

That the following provisions shall apply to the Finance Bill:—

Committee

1.—(1) Clauses 1 to 3 and 16 to 53 and Schedules 4 to 11 shall be committed to a Committee of the whole House.

(2) The remainder of the Bill shall be committed to a Standing Committee.

2.—(1) Proceedings in Committee of the whole House shall be completed in two allotted days.

(2) The proceedings to be taken on each of those allotted days shall be as shown in the second column, and shall be brought to a conclusion at the times specified in the third column, of the following Table:—

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	Clauses 16 to 22	7.00 p.m.
	Clauses 23 and 24, Schedule 4, Clauses 25 to 27, Schedule 5, Clause 28, Schedule 6, Clause 29, Schedule 7, Clause 30	9.00 p.m.
	Clauses 31 and 32, Schedule 8, Clauses 33 to 35, Schedule 9, Clauses 36 to 46, Schedule 10, Clauses 47 to 49	Midnight
Second day	Clauses 1 to 3	7.00 p.m.
	Clauses 50 to 53 and Schedule 11	10.00 p.m.

(3) If either of those allotted days is Thursday, the times specified for that allotted day in the third column of the Table are brought forward by three hours.

(4) On the first of those allotted days, paragraph (1) of Standing Order No. 15 (Exempted business) shall, notwithstanding sub-paragraph (a) of that paragraph, apply to the proceedings on the Bill for only two hours after ten o'clock or, if that day is Thursday, for only two hours after seven o'clock.

(5) On that allotted day, any period during which proceedings on the Bill may be proceeded with after ten o'clock (or, if that day is Thursday, seven o'clock) by virtue of paragraph (4) or (5) of Sessional Order I (provision in the event of a debate under Standing Order No. 24) made by the House of 7th November 2000 shall be in addition to that period of two hours.

(6) Sessional Order B (Programming Committees) made by the House on 7th November 2000 shall not apply to proceedings in Committee of the whole House.

(7) An allotted day is one on which the Bill is put down as first Government Order of the day.

3.—(1) The Standing Committee shall have leave to sit twice on the first day on which it shall meet.

(2) Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 24th May 2001.

4. When the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill shall be proceeded with as if it had been reported as a whole to the House from the Standing Committee.

ADOPTION AND CHILDREN BILL

Ordered,

That Mrs. Liz Blackman, Mr. Julian Brazier, Ann Coffey, Caroline Flint, Sandra Gidley, Mrs. Llin Golding, Mr. David Hinchliffe, Mr. John Hutton, Mr. Jonathan R. Shaw, Mrs. Caroline Spelman, Mr. Desmond Swayne and Ms Dari Taylor be members of the Select Committee on the Adoption and Children Bill.

That three be the Quorum of the Committee.

That the Committee have power to send for persons, papers and records.

That the Committee have power to adjourn from place to place.

That the Committee have power to appoint specialist advisers, either to supply information which is not readily available or elucidate matters of complexity relating to the provisions of the Adoption and Children Bill.—*[Mr. Jamieson.]*

The Colchester Institute

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

11.11 pm

Mr. Bob Russell (Colchester): Instigating this debate gives me no pleasure. A little under 40 years ago, I was a student at the Colchester Institute when it was called the North-East Essex technical college and school of art. I am proud to include that in my curriculum vitae, and tonight I show my pride by wearing the institute's tie. What I hope will result from the debate is a pledge that the Department for Education and Employment will investigate the management and strategy of the Colchester Institute under its quango leadership.

I am grateful to the Minister for the meeting that I had with him two weeks ago, along with a representative of the lecturers. He is thus already well informed of what the local community considers to be an unacceptable state of affairs. Regrettably, despite our meeting, the institute refuses to reconsider its position.

Between 50 and 60 jobs are threatened, involving both teaching and support staff. That represents more than 10 per cent. of the core work force. The ending of full-time A-level courses has been announced. Staff, students and the public are opposed to what is happening, but the institute has refused to engage in debate to justify its actions. It is to be hoped that wiser counsel will prevail as a result of the Government intervention that I seek, and that the institute will halt what many believe to be an assault on the provision of lifelong learning that has been offered throughout its history.

The Minister is aware that the lecturers' union, NATFHE—the National Association of Teachers in Further and Higher Education—is in dispute with the institute and has not ruled out strike action over the redundancies and change of direction. A vote of no confidence in the senior management team has been passed. Union members are not alone in thinking that the institute's strategy is a shortsighted act of educational vandalism that will leave young adults in Colchester—indeed, mature students of all ages—with severely restricted options when they wish to return to academic courses.

Until a few years ago, the institute was an integral part of the democratically accountable education system. Its roots, and its democratic accountability to the local community, go back to 1886, when the Albert school of art and science was established in a building in the high street. It was run by a committee of Colchester borough council. Following the Education Act 1902, the forerunner of today's Colchester Institute transferred to the jurisdiction of Essex county council. It developed and progressed over the next 90 years, first on North Hill and then on its present site in Sheepen road. Without such parentage and continued management within the democratic accountability of local government, what we now know as the Colchester Institute would never have been conceived or developed. It is a story of progress made by a first-class education establishment responding to the wishes and aspirations of the local community. In contrast, in today's quango Britain the community's views are ignored.

The institute has 10,000 full-time and part-time students, as well as a further 3,000 on short courses over the year attending its professional training centre.

It provides an extensive range of courses, and in some subjects its excellence is recognised nationally, if not internationally—in music, art and catering, to name but three.

However, all is not well; all is not what it should be. If it were, tonight's debate would not be needed. The root cause lies with the previous Government's decision to remove education establishments such as the Colchester Institute from the democratic framework of local education authorities and hand them over to quangos.

The quango in charge of the Colchester Institute runs a public facility with funds provided by the public purse, but it is neither accountable nor answerable to the community that it serves. Concerned members of the community are up in arms about what is happening, but those who run the institute are operating a closed-door policy, refusing to enter into a dialogue or debate with the community.

Indeed, when lecturers decided to hold a public meeting, the institute refused to allow it to be held on the campus. Instead, it took place at the town hall. I chaired the meeting, and there were noticeable absentees at the packed gathering. The institute declined to be represented and did not even have observers. It was thus very much a one-way discussion with those present—staff, students and the public—who were unanimous in their demand that jobs should not be lost, and likewise that A-level full-time courses should not be axed.

I shall quote from two of the many letters that I have received on this matter. The first is from the mother of a student, the second from a retired lecturer. Both have given me permission to mention their names. The mother, Mrs. G. E. Phipps, told me:

"As the parent of an A-level student at Colchester Institute I feel compelled to express my concerns over the discontinuation of A-level courses. In my daughter's case she left school and went to the Sixth Form College. After two terms she decided it wasn't for her and left to take up full-time employment. She soon discovered the job she had held no prospects and the only way to find a decent career was to return to college and become better qualified.

Thanks to the Institute she had a second chance. Unfortunately this will no longer be the case. From September, for 16-year-olds who either choose not to attend or do not qualify for any of the town's sixth forms there will be no opportunity to study for A-levels in Colchester.

Another point that concerns me is the tuition of the current A-level students like my daughter and the first years who will still have the major part of their courses to complete. Although the Institute has assured us that the present students will be catered for, it is unrealistic to think this will be the case. With the A-level lecturers having no option but to take 'voluntary' redundancy in June, morale amongst staff is extremely low and the quality of teaching is bound to be affected. To add to that, the question of who will be teaching next year's second years remains."

Those are not my words but those of a mother who speaks for many. Perhaps the Minister may care to respond in particular to the concluding paragraph of Mrs. Phipps's letter. She writes:

"At a time when the Government puts so much stress on the importance of education, how can such a retrograde step be taken? With an average of about 200 applicants for A-level courses at Colchester Institute each year, how can it be allowed to so badly let the young people of Colchester down?

I do hope together we can provide a loud enough voice to reverse this decision."

I shall quote from the letter of retired lecturer Mr. Guy Scott. He worked at the institute for 25 years and was head of the school of automobile engineering when he retired in 1990. Observing that he is

"very concerned at the manner in which things are being handled at the Institute",

Mr. Scott states:

"I believe the rot set in about ten years ago when the Institute was taken out of Essex County Council control and became a Corporate Body, not answerable to the local community which it was set up to serve."

He added:

"Since that time the emphasis of the Institute has swung from course provision to income acquisition."

I shall let the Minister have a copy of Mr. Scott's letter, because in some detail he sets out the demise of the school which he helped build into one of the best in the country.

So that Mr. Scott's comments are put firmly on the record, let me quote the following paragraphs:

"For all too many years morale amongst Institute staff has been worryingly low. Conditions of service have been changed and staff have been squeezed and pressurised into giving more and more, for no extra return, until the 'juice has all but gone from the lemon'. As a result they now volunteer for less and less.

Enthusiasm and drive, all so important in an establishment like the Institute, has gone; and the Institute Management including the Corporate Board must be held accountable."

He concludes:

"It cannot be right that the Corporate Board is not accountable to the community the Institute was set up to serve."

The Minister may be aware that Mrs. Phipps wrote to the Secretary of State to express concern at what is happening at the Colchester Institute. She received a reply dated 4 April from the school and college qualifications division, which provided her with the soothing words:

"The Government is committed to encouraging young people to lifelong learning."

If true, it would be very encouraging, but it is somewhat meaningless in the real world, for the letter goes on to add:

"However, education at post-16 is non-compulsory and educational establishments are not obliged to run courses that they do not wish to. Decisions about the courses that a school or college may offer are made entirely by the institution, depending on the resources that are available, and the demand for specific courses."

Should I therefore assume that the Colchester Institute is being deprived of the funds that it needs to maintain its A-level courses? If so, who is to blame: the institute, the Learning and Skills Council, or the Government?

Indeed, is the Colchester Institute acting at the behest of Government directives, either direct or indirect? In a pointless exercise, the letter from the Department for Education and Employment's school and college qualifications division advises Mrs. Phipps to write to the principal of the Colchester Institute about her anxieties. It states:

"If you are not satisfied with the response, you could then take it up with the Learning and Skills Council."

I do not believe that she will waste her time on that advice.

At first glance, the position at the Colchester Institute may appear to be a local issue, but I believe that it has national implications. Not only the Colchester Institute, but every further and higher education establishment in the United Kingdom is run by a quango.

[Mr. Bob Russell]

The quango culture pervades so much of our public life nowadays. The democratic framework of elected accountability no longer exists in education, health services and the police. All who value democratic principles should be alarmed about that aspect of life in the first part of the 21st century. We should legislate to make our public bodies democratically accountable. I therefore maintain that we should not regard what is happening at the Colchester Institute as a local issue. It has much wider implications in our quango-run society.

Not only is the Colchester Institute run by a quango, but the body that oversees its operations—the quaintly named Learning and Skills Council—is also a quango. That organisation appears to have less influence over the Colchester Institute than the Strategic Rail Authority has over our railways.

I have no problem with the Colchester Institute wanting to run on business-like principles. Efficiency and enterprise are important. However, I object to the fact that the comprehensive provision of education opportunities appears to be of secondary importance to operating the institute as if it were a business, like a supermarket, with areas of profitability being encouraged and those perceived to be less profitable either closed down or sidelined. Education should not be run on the philosophy of "pile 'em high, sell 'em cheap". To adapt a well-known phrase, lifelong learning should be all about, "mind the quality, and feel the width".

If "lifelong learning" and "education for all" are more than soundbites, educational opportunities at a large community college such as the Colchester Institute must not be axed. The institute must continue to provide the breadth and depth of academic courses alongside all the vocational and specialist courses whose excellence is rightly acknowledged.

To say that the community of Colchester and north Essex, and even further afield, is shocked is an understatement. We are shocked by not only the decisions, but the institute's refusal to engage in dialogue with the community. The local media have become exasperated at the institute's total refusal to discuss the position with them. I have been fortunate enough to have a meeting with the principal, but I remain of the view, as do staff and students, that the institute's strategy of job losses and ending full-time A-level courses is not the right one.

As I said earlier, such is the unhappiness that staff have passed a vote of no confidence in the senior management team. That does not bode well for the future of the Colchester institute, hence my hope that the Government will investigate what is going on.

Further confusion seems to have arisen with the announcement that the principal, Mrs. Helen Parr, will leave at the end of this academic year to take up an appointment at another education establishment elsewhere in the home counties. Having been involved in drawing up the strategy of job losses and ending full-time A-level courses in Colchester, the principal will not be in place when they are implemented, if the current so-called consultation is nothing more than the cosmetic exercise that many of us fear.

The Colchester Institute sees its skipper jumping ship while the vessel remains all at sea, with the crew and passengers wondering about the direction in which it is sailing and unsure of the ultimate destination.

However, the principal's departure provides an opportunity for a face-saving solution for the governors. They should consider the current intentions afresh. I invite the Minister this evening to say that he will urge those responsible for the Colchester Institute—most importantly, its governing body but also the Learning and Skills Council—to take stock of the comments of the local community, staff and students before a final, irreversible decision is taken.

The regional office of NATFHE has provided me with copies of correspondence between it and the institute management. Time does not permit me to quote at length from that, but suffice it to say it shows that relationships are not good. They are perhaps best summed up in a letter of 9 March from regional officer Elizabeth Martins to the chair of the corporation, Mr. Ken Leeson. It states:

"It is NATFHE's view that meaningful consultation is not taking place and the College's policies/procedures are not being followed prior to consultation. Furthermore, there appears to be an inconsistent, inequitable and lack of transparent approach in relation to the introduction and implementation of the restructuring proposals resulting in an unfair selection of individuals for redundancy."

The letter further states that the joint trade unions proposal for using the Advisory, Conciliation and Arbitration Service was rejected by the institute's senior management team.

The overall picture of education provision in Colchester is excellent. It is one of the reasons why the town is so attractive not only to the local population, but to people who wish to move there. With the range of pre-school establishments and nurseries, infant, primary and junior schools, first-class comprehensives—none of them, by the way, remotely fitting the offensive description of being bog standard—a couple of grammar schools, arguably the best sixth form college in the country, the adult community college centred on Grey Friars, and the internationally famous university of Essex, the Colchester Institute completes an educational jigsaw picture that is, I believe, without equal.

What is being proposed is the removal of some pieces of the institute jigsaw. As such, the total picture of educational provision in Colchester will be diminished. It is not something that the community wants. Staff, students and the public are opposed to the Colchester Institute proposal. I invite the Minister to refute the claim by the institute's principal—who also describes herself as chief executive—in a letter issued to all staff just four days ago that what is happening at the Colchester Institute

"is in line with Government guidance."

It cannot be right that quangos can behave in the way that we are witnessing at the Colchester Institute. We are looking to the Minister tonight to put in motion the necessary steps to save the jobs and to retain full-time A-level courses. I invite him to use all the powers at his disposal to prevent the quango regime at the Colchester Institute from proceeding with its plans.

11.26 pm

Mr. Bernard Jenkin (North Essex): I congratulate the hon. Member for Colchester (Mr. Russell) on obtaining the debate and am grateful for his permission to take part in it. I shall be extremely brief, noting how economical he has been with his time.

Many constituents of mine attend the institute, and many teach there. They have expressed concern to me about the present situation. It is about not just the availability of courses—we understand that A-levels are not the mainstream of the institute's work—but the way in which cutting A-level courses will affect the viability of exceptional departments such as music and, indeed, the institution's overall ethos. The institution provides vocational education in a context that also provides A-level and degree courses. That is important for everyone who attends it.

I would like the House to be aware that, on Friday, I had a private meeting with Mrs. Helen Parr, the principal of the institute. She was able to assure me that no current students attending existing courses would be affected by the changes that she proposes. She was also at pains to stress that she ran an open-door management policy and that any member of staff was welcome to see her. I asked whether I could attend such a meeting. She agreed that, provided that it was about general issues rather than particular employment issues pertaining to those members of staff, I could attend such a meeting. I hope to be able to do so and invite the hon. Gentleman to attend too, if he can.

The hon. Gentleman touched on a particular point. He asked whether it was Government policy to deprive the institute of the funds necessary to provide the courses that it currently provides. The principal described the bible of the institute as being the document entitled, "Colleges of excellence and innovation", which was accompanied by the remit letter from the Secretary of State for Education and Employment to the Learning and Skills Council. That advice has been reflected by a consultant paid for by the Further Education Funding Council, which has constructed the strategy for the institute and for A-level provision in north Essex. I ask the Minister to take responsibility for what is happening at the institute and to say as constructively as he can how things could be taken forward in a less confrontational way, with more consensus than is currently being achieved.

11.29 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): I listened with interest to the concerns expressed by the hon. Member for Colchester (Mr. Russell) and congratulate him on securing this debate on behalf of his constituents. I listened also to the brief speech by the hon. Member for North Essex (Mr. Jenkin), who made some not dissimilar points.

I know that the hon. Member for Colchester is as passionately committed to maintaining and improving the provision of education and training in his constituency as he is to his beloved Colchester United. As someone who is not intimately involved with either institution, I wish them both well in coming seasons. I shall do my best to respond to his concerns. As he noted, we had a useful meeting in the Department on this very matter.

Further education colleges are independent corporations, and the governing body of Colchester Institute is responsible for management of the institute. It is that body that is responsible for the effective management of its resources to safeguard the solvency of the college and its assets.

I noted the intervention of the hon. Member for North Essex, who urged the Government to intervene directly in the intimate affairs of that institution, but it was of course the previous Government who established FE colleges as independent corporations. Although it is too late in the night to ask him whether that request for intervention represents another U-turn, he is asking me to intervene in an arrangement made by a Government so that Governments could not intervene in the business of FE corporations. I think that he is shaking his head, but I should be happy on another occasion to debate his inconsistencies with him.

The governing body and the principal are required to secure the efficient and effective management of all the college's resources and expenditure, capital assets, equipment and staff, so that the investment of public funds in the college is not put at risk. They are also required to plan and conduct their academic and financial affairs so that their total income, taking one year with another, meets their total expenditure. Those arrangements are subject to annual audit and a quadrennial inspection programme.

The institute was most recently inspected in March 1998, and it received good and satisfactory grades in its curriculum and cross-college provision. In February 2001, the Further Education Funding Council's regional office reviewed the college, with other colleges in the region, and was satisfied with the management of the college. Meanwhile, its latest external audit, undertaken by a reputable local firm, produced a satisfactory report. The institute is in financial health category A, which means that it has the financial strength to implement its strategic plans.

I should add, not least for the hon. Member for North Essex, that this Government are investing record resources in further education and our record compares well with that of the 18 years of the previous Government. I should add also that, in July 2001, the institute's principal, who is well regarded by local partners, is to leave the institute to take over a larger college.

The institute has decided that, with the introduction of the new Learning and Skills Council, and the more collaborative approach of education and training providers, it should concentrate on the provision of vocational programmes, for which it already has an excellent reputation. Indeed, my hon. Friend the Member for Harwich (Mr. Henderson) has brought to my attention some recent developments at the Clacton campus of Colchester Institute. He has been advised by the principal of the institute of additional new provision at Clacton that has been developed better to meet the vocational needs of local people. I am sure that the hon. Members for Colchester and for North Essex, who are from that region, will welcome that. The developments include the provision of call centre training, adult-friendly outreach information technology training and a variety of new vocational provision.

All that is consistent with the centres of excellence model that my right hon. Friend the Secretary of State for Education and Employment announced last November in his speech to the Association of Colleges. Our target is that half of all general further education colleges should have a vocational specialism in which they are regarded as a centre of excellence by 2004–05. The institute has kept the Further Education Funding Council fully informed of its plans, which build on a rationalisation study supported by the council's rationalisation fund.

[Mr. Malcolm Wicks]

As for the future, the recent introduction of the Learning and Skills Council—launched only last week, with a budget of £6 billion and about 6 million learners—ensures that that new non-departmental public body will assume responsibility for post-16 education.

I note that the hon. Member for Colchester was severely critical of the Learning and Skills Council. It has been operational for one week. No doubt his criticism is justified, but he is not its first critic, and I am sure that he will not be its last. Some were criticising it some months before it came into being. The council will include further education colleges in its ambit. They account for more than £3 billion of the total budget and have more than 3.5 million learners.

The Learning and Skills Council will be responsible for local learning strategic planning. A particular challenge for the new councils, as they take over responsibility for co-ordinating school, college and other 16-to-19 provision, will be to deliver the right combination of quality, flexibility and choice. They are charged with delivering education and training that meet local learners' and employers' needs.

That is why I have ensured that Alison Webster, the executive director of the local Essex learning and skills council—one of the 47 local learning and skills councils—has been kept fully informed of the developments at the institute. I have already drawn her attention to the concerns expressed by the hon. Gentleman about how the consultation exercise was undertaken. I know that she will want to ensure that all providers of post-16 education and training are accountable and responsive to the needs of students as well as of the wider community, including industry and commerce.

I understand of course the concerns of the people directly affected by possible job losses—the individual lecturers and support staff involved—but we also have to consider the prospects of current and potential learners in Colchester. Their interests are best served by colleges and providers of learning that are demonstrably good at what they do and well managed.

I know that the institute has given a categorical assurance that existing full-time A-level students will be able to complete their courses of study at the institute. I have had assurances that there will be alternative, equally good provision of full-time A-level courses at Colchester sixth form college and at other local schools with sixth forms, and I am assured that they will respond positively and helpfully to the needs of all learners, including those who may not have achieved very high grades at GCSE.

Indeed, the hon. Gentleman will recall that I gave him those assurances when I met him at the Department less than two weeks ago, and I shall write to him soon with the additional assurances that I have received from Alison Webster. I am equally certain that the institute will make every effort to try to help the individual members of staff who may be affected by the changes.

I am satisfied that the governing body has exercised its proper function. Its decisions are based on business and education considerations. Existing A-level students at the institute have been assured that they will be able to complete their courses of study, and there will be a choice of other local providers of full-time A-level courses for prospective students from September 2001.

The Learning and Skills Council is in the lead in terms of post-16 arrangements designed to ensure that patterns of provision best meet local needs, drive up standards and encourage greater collaboration. Further education colleges have a vital role to play in delivering the high-quality education and training that people need to enable them to make the most of themselves and of the opportunities that are available to them.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to Twelve midnight.

House of Commons

Tuesday 10 April 2001

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Fluoridation

1. **Mr. Nicholas Winterton** (Macclesfield): What plans he has to introduce legislation on the fluoridation of drinking water. [156283]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): Over the last 40 years, the fluoridation of water in selected areas has made a worthwhile contribution to improving oral health, but we are taking further expert advice on the effects of fluoridation before considering whether changes should be made to the current legislation which leaves the water undertakers to decide whether to agree to health authority requests for new fluoridation schemes.

Mr. Winterton: I am personally strongly opposed to the mass fluoridation—the mass medication—of the public water supply, so I ask the Minister how the present Government and the Medicines Control Agency can reconcile their policy and practice with United Kingdom and European medicines legislation, because the whole purpose of adding fluoride to drinking water is to treat, prevent or cure a disease. That is the intention of those authorising the process, and that is how the consumer perceives it. Is there going to be legislation compulsorily to medicate our total water supply?

Ms Stuart: It was our desire to establish a good scientific evidential basis for fluoridation. The York report was published last October and as a consequence of that we have asked the Medical Research Council to provide a better evidential base; but as the hon. Gentleman rightly pointed out, the purpose is to improve the dental health of this nation, so I hope that, despite the fact that we shall be asking for evidence, he welcomes the tremendous investment in South Cheshire health authority, which has approved some 27,000 extra registrations for dentists. He now has a dental access centre in his constituency, and some £60,000 was invested in the dental care development fund. We are therefore working on both fronts—to improve the dental health of the nation and to obtain better evidence.

Mr. David Hinchliffe (Wakefield): My hon. Friend is aware that this is a hugely contentious issue. I wonder whether, in the light of the fact that the Government are committed to devolving decision making in a range of areas to local people, there may be a commitment in principle to enable local ballots to take place to ensure local determination on whether fluoride is added to water supplies.

Ms Stuart: Despite the number of applications that we have had for fluoridation, none of them has succeeded simply because we have made it absolutely clear that the majority of the population would have to be in favour of any extra fluoridation, should it be implemented.

Mr. Andrew Robathan (Blaby): But is not the evidence extremely mixed, including that from the York report? Although it appears that fluoride does have some good topical effect on teeth, too much fluoride discolours teeth and we do not yet know its long-term effects on the bone mass. Fluoride is, after all, a poison. Will the Minister comment on that?

Ms Stuart: Of course there are also hugely varying levels of naturally occurring fluoridation in the country—there are many areas where fluoride occurs naturally in the water. That is why there is a two-pronged attack. We are not only looking at the evidential basis of what adding fluoride would do, but at the same time improving access to and the quality of the dental services available. In particular, we are paying attention to what happens to children—setting up pilot projects that encourage young children to brush their teeth more frequently. We are working along both lines, to improve dental health and to do further research on fluoridation.

Community Disability Equipment

2. **Mr. Tom Levitt** (High Peak): If he will make a statement about the provision of community disability equipment. [156284]

The Minister of State, Department of Health (Mr. John Hutton): An additional £105 million is being made available to the national health service for community equipment services over the three years from April 2001, and local authorities are receiving additional provision in their personal social services settlements. New guidance aimed at improving these services was issued last month and copies of the guidance are available in the Library.

Mr. Levitt: I thank my hon. Friend for that answer. In parts of the country such as my own, where assessments are carried out by social services in one local authority and the implementation of disability services in the home is carried out by the housing authority in another, there is some confusion. I am sure that the guidelines will be very helpful. Would my hon. Friend note that last Friday I opened a disability equipment loan centre organised by the British Red Cross in Buxton, and take this opportunity to welcome the co-operation of the voluntary sector in this way?

Mr. Hutton: Yes, I certainly would. May I start by wishing my hon. Friend many happy returns as I believe that it is his birthday? Also, I hope that he will have another happy return in the not-too-distant future.

I certainly agree with my hon. Friend about the importance of the voluntary sector and the role that it can play and the contribution it can make in this important area. I strongly agree that there is an overwhelming case for the integration of social services and NHS equipment services at a local level. My hon. Friend will be aware that the Government are committed to seeing that take place, and we have issued guidance to local authorities and the NHS to ensure that that can take place in 2004.

Mrs. Caroline Spelman (Meriden): Despite the Prime Minister's personal intervention, taking responsibility for community disability a year ago, it remains an area of failure, although we welcome the announcement of the money today. However, the Audit Commission's recent report—called, rather ironically, "Fully Equipped"—states that poor quality services are stripping disabled people of their dignity. Will the Secretary of State match our proposal to establish a single fundholder to pay out incapacity benefit and with the power to purchase physical aids, physiotherapy and a range of other medical treatments?

Mr. Hutton: We need to be absolutely clear about one thing: the problems did not start on 1 May 1997. In fact, the report to which the hon. Lady refers represents just as much a description of the Tory years, when they were managing the NHS, as anything else. Of course, we would take her strictures on the subject a little more seriously if she and her hon. Friends would match our spending on social services, because she will be aware that the report deals with social services issues. She will also be aware that until and unless the Conservative party matches that spending, her words and her crocodile tears will be dismissed as completely contemptible.

Cancer Treatment

3. **Mr. Peter L. Pike** (Burnley): What major capital investments in cancer treatment facilities have been made in the last two years. [156285]

The Secretary of State for Health (Mr. Alan Milburn): Some £95 million from the new opportunities fund and £100 million of NHS resources are being invested in cancer treatment facilities, and 56 new linear accelerators, 95 new CT scanners and 35 MRI scanners have now been allocated across the health service.

Mr. Pike: I thank my right hon. Friend for that answer. I am sure that he will be aware of the announcement last week of the additional resources for the Royal Preston hospital, which will ensure that the facilities in that hospital can meet the needs of the people of Lancashire. We welcome that; but can he assure us that that hospital will be able to meet the needs of all the people in Lancashire in the future and supplement the facilities that have been traditionally provided at the Christie hospital in Manchester?

Mr. Milburn: There is a very important role for both hospitals, and it is extremely important that we invest in more equipment and staff in those cancer services and, indeed, in greater prevention of cancer in the first place. As my hon. Friend is well aware, after decades of the shameful neglect of cancer services, the investment is now being made. It is worth my hon. Friend's reminding his constituents in the weeks to come that, under the previous Government, not a single penny was earmarked for cancer services funding, but under this Government in this financial year £280 million extra will be invested in modernising cancer services.

Mr. Peter Lilley (Hitchin and Harpenden): Is the Secretary of State convinced that the NHS has yet got the balance right between surgical and chemical or radiotherapy cancer treatments? Is he aware that this country has pioneered the microsurgical treatment of cancer, which increased survival rates and reduced the complications and indignities suffered by patients when it was adopted and disseminated abroad? Why is not more effort being put into disseminating those skills throughout the NHS?

Mr. Milburn: With all respect to the right hon. Gentleman, a big effort is being made to ensure that not only chemotherapy and improved radiography services and so on are available, but that more surgical options are available to cancer patients. As he is aware, during the past year or so, we have made great strides in ensuring that, although all the problems have not been solved, there is at least progress on the waiting times that cancer patients have to endure for initial outpatient appointments. We set a target for patients to be seen within a fortnight. Thankfully, about 100,000 women with suspected breast cancer have now been seen within a matter of weeks, rather than months, which was the situation previously, and they go on to a variety of treatments, including surgery.

The right hon. Gentleman is right to suggest that we must get the balance right, but to do so we must ensure that the investment is sustained. If he is as concerned as he says he is about those issues, he might have a word with his colleagues on the Conservative Front Bench to remind them that matching Labour's health funding for the NHS is an important priority for his party.

Mr. Michael Clapham (Barnsley, West and Penistone): I welcome the investment in cancer treatment, but, as my right hon. Friend will be aware, mesothelioma is a particularly nasty form of cancer, caused by exposure to asbestos. This year, there have been 1,500 deaths from mesothelioma, and Professor Peto's forecast is that that will rise considerably and peak in about 2010 or 2020. He will also be aware that the Macmillan foundation is training a network of nurses to provide care for people suffering from mesothelioma, but there is a need in the initial stages for an information line. Will he consider how an information line may be set up and co-ordinated in the first stages to support that network of nurses?

Mr. Milburn: If my hon. Friend cares to write to me with his suggestions, I will gladly consider them. He also made an important broader point, which is that inevitably in the NHS service we often focus on how we can improve treatment services. However, as we all know, a huge number of deaths from illnesses such as cancer and coronary heart disease are preventable by action in the workplace and by tackling such things as smoking. We are committed to such preventive action, and it will be worth my hon. Friend's reminding his constituents that while the Government are backing measures that mean

that fewer people will smoke in future, most notably by a ban on tobacco advertising, the Conservative party, despite its warm words, refuses to back such a ban.

Mr. Philip Hammond (Runnymede and Weybridge): Labour's manifesto at the last general election pledged to end waiting for cancer surgery. Does the Secretary of State consider the pledge to have been met?

Mr. Milburn: As the hon. Gentleman knows, we set a target for reducing—*[Interruption.]* If the hon. Gentleman can wait before asking another question, he will get an answer to the first. We set a target for reducing the time that it takes to get people with suspected cancer into hospital. I am pleased to say that between 95 and 97 per cent. of women with suspected breast cancer are now being seen within a fortnight. We have set additional targets for people to be seen within a fortnight for all forms of suspected cancer, including lung and prostate cancer. As a consequence, we are reducing the waiting times for all forms of cancer treatment.

Female Sterilisation

4. **Fiona Mactaggart** (Slough): If he will publish guidelines for NHS trusts about the information to be given to women facing sterilisation operations relating to the chances of failure. [156286]

The Minister for Public Health (Yvette Cooper): The Department of Health funded the Royal College of Obstetricians and Gynaecologists to review and publish guidelines for sterilisation for all its members. The guidelines state clearly that all women should be informed, before a sterilisation operation, that the failure rate is around one in 200.

Fiona Mactaggart: I thank my hon. Friend for that reply. My question was inspired by my constituent, Marilyn Kearney, whose daughter Phoebe was born after Marilyn had had a failed sterilisation. She was not properly informed of the one in 200 failure rate; indeed, the person who operated on her thought that it was much lower. Since her plight has been publicised, women throughout the country have been in touch with her to say that they were not informed of the failure rate. What can the Government do to make sure that women undergoing the operation know that they risk a one in 200 chance of it failing, which might influence their decision about whether to proceed?

Yvette Cooper: My hon. Friend makes an important point. It is critical that women get full, accurate information before they make such important decisions. The guidelines to which I referred were disseminated to all the members of the royal college and are widely available to the trusts. However, we will pursue with the royal colleges what further measures might be possible to ensure that the guidelines are being adhered to throughout the country.

Mrs. Marion Roe (Broxbourne): Is the Minister aware that I was fortunate in gaining a place in the ballot for private Members' Bills in this Session and that my Bill covers standardised patient consent forms for all patients in the NHS and the independent sector? Does she agree that all patients should be given a standardised form, explaining the treatment that they are about to receive and its risks and benefits? Will she support my Bill and its principles?

Yvette Cooper: I certainly support the principles of informed consent for all patients. We are keen to see measures that would improve the information given to patients as well as the counselling and support that they receive. It is not simply about providing patients with written information and particular facts; they must also have the chance to ask questions and to receive proper counselling, especially when they have conditions or face operations for which choices have to be made or where there are alternatives to the treatment that is being offered.

Acute Care (Waiting Times)

5. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on waiting times for acute care. [156287]

The Minister of State, Department of Health (Mr. John Denham): Average waiting times for admission to hospital have fallen to 13 weeks, compared with 15 weeks in June 1998. By the end of 2005, no one will wait more than three months for a routine first out-patient appointment or more than six months for non-urgent admission to hospital under the targets set out in the NHS plan.

Mr. Paterson: In that case, will the Minister please telephone Dr. Ian Rummens, the secretary of my local medical committee, who has said that, despite there being a very mild flu epidemic this winter, it has been impossible to get patients into acute beds in any Shropshire hospital and into hospital in Hereford and Wrexham Maelor? Will the Minister please ring Dr. Rummens and address the question of increasing the number of acute beds?

Mr. Denham: I am not clinically qualified to know whether the hon. Gentleman suffers from amnesia, but he certainly has problems with his memory. About 40,000 hospital beds were lost under the previous Government, and this past winter has been the first for many years in which the number of general and acute beds went up. There were also more critical care beds in the national health service. The statistics for Shropshire show that the number of in-patients on the waiting list has fallen from the peak of 9,635 to 7,200 in February this year.

Ms Rosie Winterton (Doncaster, Central): What can be done to ensure that general practitioners give accurate information to patients about waiting times? I was contacted recently by a number of constituents who complained about how long they had been told they would have to wait for care. When I looked into the matter, I found that the information that they had been given was wildly inaccurate. When I told them that, they felt rather aggrieved and there was perhaps the suspicion that they had been put under pressure to seek private treatment to receive quicker care. What can be done to make sure that GPs provide accurate information to their patients about such matters?

Mr. Denham: I would certainly be very concerned if there was any suggestion that patients had been encouraged

to go private in those circumstances. We have made it clear to hospital trusts that we wish them to provide local GPs with consultant-specific information about waiting times, so that GPs are able not only to inform their patient correctly and accurately about any likely length of wait but can decide according to the condition of their patient whether to refer to a specific consultant with specific expertise or whether a generic referral to a particular team of consultants might be more appropriate and might involve a shorter wait. We have publicised that guidance over the past year to the NHS, and I will be happy to follow the matter up in my hon. Friend's area to see whether that system is operating. That is the way the problem should be tackled.

Mr. Nick Harvey (North Devon): Given the current concern about the increasing incidence of cases of tuberculosis, with a 50 per cent. rise in London over the past decade, is not the Minister concerned about the waiting times to see thoracic consultants? They have more than doubled since the Government came to office and have gone up fivefold in London. Is not that in no small part due to the fact that we have half as many specialists per head of population as the European average? Although we know that the Government have plans to recruit more doctors and nurses, that will take time. What can the Government do to accelerate the process for this particular speciality?

Mr. Denham: The hon. Gentleman is right to say that we have made clear our plans to increase the number of consultants, including thoracic consultants, in the NHS in the years to come. We take TB very seriously. As he knows, there has been a worldwide resurgence in cases of TB, so that is why it is important to expand the capacity of the NHS to deal with the health problems that arise.

The hon. Gentleman referred to London. London, as a region, has already set itself the target of increasing the number of TB-trained nurses, and that is why we are also expanding the number of doctors and nurses across the board.

Mr. Christopher Leslie (Shipley): Is it not true that cutting waiting times depends not only on the availability of consultants, but on having sufficient theatre space and theatre time? Will my right hon. Friend assure me that the extra £116 million invested in Bradford royal infirmary, which serves my constituents, will help to contribute to reduced waiting times in the future?

Mr. Denham: The unprecedented investment that the Government are making in the NHS is enabling us to expand its capacity. I was able to refer earlier to the increased numbers of beds in the NHS, and we have 17,000 more nurses and more than 6,000 more doctors in the NHS. The capital programme that we have under way, which includes the largest ever hospital-building programme in the history of the NHS, will clearly expand operating theatre capacity. Those measures taken together can give us confidence that we will continue to cut the time that it takes people to receive treatment.

Mr. Julian Brazier (Canterbury): Is the Minister aware that behind the Casualty Watch revelation that the worst wait of all in an accident and emergency unit was at the Kent and Canterbury hospital, is a burgeoning list of delays in elective surgery, as reflected in my postbag which has a flood of cases of delayed operations? Are the Government still unwilling to review their plans to spend £102 million reconfiguring buildings in a programme that will provide no extra capacity whatsoever, when half the area's consultants unanimously decided in a meeting to pass a motion saying that there was insufficient capacity to provide decent health care?

Mr. Denham: First, the Government have exceeded their manifesto commitment to cut waiting lists. The in-patient waiting list is 125,000 below the figure that we inherited. As for the Casualty Watch figures, the hon. Gentleman should be a little careful. Two out of the top three cases were kept in the accident and emergency department because of a clinical decision; it was not that no beds were available in the rest of the hospital. The doctors involved made a clinical decision that it was right to keep those patients under observation in the accident and emergency department. It would be wrong to believe that a lack of capacity lay behind their treatment.

Of course I am aware that the proposals for the hon. Gentleman's area are controversial. However, I believe that the Government's investment in them will allow us to deliver a national health service in east Kent of which he can be proud. Controversies often surround such issues. That is why decisions are taken only after careful consultation and consideration.

Mr. Steve McCabe (Birmingham, Hall Green): I suppose that if 50 per cent. are unanimous, the other half take a different view. However, does my right hon. Friend agree that the best way to bring down and keep down waiting lists is to abolish the nonsense of the internal market, to sustain investment in the health service and to modernise it? The only people who can expect to gain from the Conservatives' policies are those who can afford to buy their treatment.

Mr. Denham: My hon. Friend is correct: we need to get our priorities right. One of the Government's priorities has been to save £1 billion from the bureaucracy associated with the internal market and to plough it into patient care so that we can treat more patients. He will be aware that the Conservative party proposes to remove £340 million from the money that is invested to treat people on the waiting list, which would cut something like 310,000 operations for cataracts, hernias, knees, hips and so on. That is music to the ears of those who wish to promote private insurance, but a great concern to his constituents and to mine.

Dr. Liam Fox (Woodspring): In its 1997 manifesto, Labour said that it would take

"100,000 people off waiting lists"

and cut the cost of bureaucracy. Will the Minister confirm that his Department's figures show that the cost of running the Department of Health has increased by £30 million? Contrary to the impression that he just tried to give the House, the total number of patients waiting—in-patients plus out-patients—has increased by 93,000 in

England and Wales. Can he spare us the spin for once, admit that the figures are correct and tell us that Labour has failed on both its main pledges?

Mr. Denham: No, I shall not do that because the truth is that, when we were elected in 1997, about which the hon. Gentleman has reminded us, in-patient and out-patient waiting lists were going up. This Government have successfully turned the corner on both those waiting lists. In-patient lists are down by more than we promised in the manifesto and out-patient waiting times are also falling. Over the past year, for the first time since records began, both in-patient and out-patient lists have been falling.

Coronary Heart Disease

6. **Ms Ruth Kelly** (Bolton, West): If he will make a statement about his plans to cut the incidence of coronary heart disease. [156288]

The Secretary of State for Health (Mr. Alan Milburn): We have made investment in treating coronary heart disease and its prevention a priority. There are more heart specialists and more heart operations, and there is more help for people to give up smoking—the biggest avoidable cause of death from heart disease.

Ms Kelly: Is my right hon. Friend aware that people who have a family member with heart disease are four times more likely to suffer the same disease themselves? In the light of that fact, will he congratulate the British Heart Foundation, which has visited more than 40 towns and cities to publicise that issue? Does he agree that raising awareness of heart disease is incredibly important in combating it?

Mr. Milburn: I very much agree with my hon. Friend. The British Heart Foundation plays a very important role, not just in public education but in the support that it offers families who are hit by this dreadful disease. Heart disease is the biggest killer in the country; it kills around 150,000 people a year. I know that the BHF is looking to launch a major research programme into the genetics behind heart disease, and that is welcome. I hope that my hon. Friend will join me in welcoming the recent announcements of my colleagues in the Department of Trade and Industry. An extra £71 million is to be invested, jointly with the Higher Education Funding Council and the Wellcome Trust, in some of these areas.

I notice that the hon. Member for Woodspring (Dr. Fox) was quoted in the papers this morning as saying that the £71 million is being spent on the treatment of phobias. Nothing could be further from the truth. The money is, for example, for research at the university of Oxford into computer simulation to aid better treatment and drugs for heart disease and diabetes; for research at the university of Glasgow into genes that trigger conditions such as depression, asthma and cancer; and certainly for research, in places such as Nottingham and University college, London, into human brain disorders including schizophrenia, autism and memory decline among the elderly. I hope that my hon. Friend will welcome that, unlike the hon. Gentleman.

While I am referring to the hon. Gentleman, I might add that I would have thought he would welcome research into phobias; after all, it could be helpful for the Conservative party, given the prevalence of Europhobia, homophobia and xenophobia among some of those on the Conservative Benches.

Mrs. Ann Winterton (Congleton): Is the Secretary of State aware of the unequivocal support of my constituents who have suffered from the most serious form of coronary heart disease for the Wythenshawe heart transplant centre, which is under threat of closure? Is he aware that that is a centre of excellence, the work of which is most highly valued throughout the north-west? Its location is easily accessible for patients from south of Manchester, including those in the constituency of my hon. Friend the Member for Macclesfield (Mr. Winterton).

Mr. Milburn: Keep it in the family, as they say.

On the serious issue that the hon. Lady raises, as she knows, the Department and Ministers have received representations not only from people in the north-west, which we take very seriously, but from colleagues in Sheffield and Birmingham too. Some difficult decisions will have to be taken, and they must be informed by the best clinical advice that we can get. She is aware of some of the clinical issues around these matters. As yet, Ministers have not received formal advice. I hope that we can make the right decision as soon as we are able, but, in the meantime, we hear the representations.

Angela Smith (Basildon): I know that the Secretary of State is aware that prevention and early intervention are key to tackling heart disease and greatly reduce the risk. Does he therefore accept that creating health awareness at a young age is the key? Will he strengthen links between the Department for Education and Employment and the Department of Health to ensure that sports education in schools is given very high priority?

Mr. Milburn: That is very important. There are certain things that we need to do in the short term, and things that we must do in the longer term. There is more that we can do in the short term to increase the number of cardiologists, cardio-thoracic surgeons and heart operations, and that is happening, but the greatest gain in tackling coronary heart disease will come from improved prevention, rather than improved treatment. As my hon. Friend says, sport in schools is incredibly important, as is diet among school children. She is aware that we have introduced an initiative to provide free fruit to children in school for the first time. It is hugely welcome in the schools where it has been tried out, and I have no doubt that in the longer term it will bring great benefit in terms of health gain, not just among the children who receive a free piece of school fruit, but among their families.

Dr. Liam Fox (Woodspring): The Secretary of State will be aware that figures show that failure to screen adequately means that up to 30 per cent. of coronary care beds in the United Kingdom are occupied by patients who do not have a cardiac problem. In the Government's overall strategy, what is the place of Troponin testing, and what are the Government's plans?

Mr. Milburn: We need to do more not just in respect of screening, but, as the hon. Gentleman is aware, to ensure that when patients are referred by their general practitioner to hospital, they are treated as quickly as possible. That is

why we have established 130 rapid-access chest pain clinics—first, to ensure that the people who need heart treatment get it as quickly as possible and, secondly, to screen out the people who do not have heart disease but who might have some other form of chest pain. That is what the rapid-access chest pain clinics are doing. They are widely available in many hospitals across the country and by 2003 they will be available in all hospitals. If the hon. Gentleman is as serious as he says he is about tackling coronary heart disease and improving cardiac care, I hope that he agrees that it was a fundamental mistake of the Government of which he was a member not to earmark a single penny piece for improvement in heart services.

Carers

7. **Mr. Huw Edwards** (Monmouth): If he will make a statement about co-ordination of health and social services policy to support carers. [156289]

The Minister of State, Department of Health (Mr. John Denham): The national service frameworks for mental health, older people and coronary heart disease will help to ensure greater attention to carers' needs across the NHS and social services. The additional flexibility introduced by the Health Act 1999, together with the new powers to establish care trusts, will also lead to closer integration of health and social care. By 2003–04, an additional 75,000 carers will benefit from extra services.

Mr. Edwards: Does my right hon. Friend agree that more has been done to support carers in the first four years of this Government than at any other time in the past, and that with the national carers strategy, the Carers and Disabled Children Act 2000 and the increase in social security benefits for carers introduced this week, there is a significant improvement in provision for the 9,000 carers in Monmouthshire? Given that the Conservative party has made no commitment to match the Government's commitment to social services spending, does my right hon. Friend accept that the Carers and Disabled Children Act 2000, which is to be introduced by local authorities later this year, would be jeopardised?

Mr. Denham: My hon. Friend makes some important points. It is worth quoting Diana Whitworth, the chief executive of the Carers National Association, on the publication of the recent national service framework for the elderly. She said of the policies in that document:

"Carers have often been marginalised or excluded by healthcare professionals. The NSF"—

that is, the national service framework—

"promises to tackle that once and for all."

That is just one example of the endorsement of the extra investment in financial support and services for carers that the Government have introduced. My hon. Friend is right to say that all that is threatened by the Conservative party's refusal to promise to match our investment in social services.

Mr. Michael Fabricant (Lichfield): Will the Minister join me in praising the service provided by the minor injuries unit and respite care beds at the Victoria hospital in Lichfield? Will he finally end the confusion that has reigned for the past three years regarding the future of the Victoria hospital? Will he say once and for all that the Victoria hospital will remain open?

Mr. Denham: Few people have done more to create a cloud of uncertainty over the future of the Lichfield hospital than the hon. Gentleman. What I can say to him and to other hon. Members is that the investment that the Government will make in support for carers, as well as that which we are making in intermediate care, provides the best guarantee of continuing good provision of community facilities for those who need care and respite care. He will understand that all that is threatened by some of the policies that he supports.

Smoking (Young People)

8. **Mr. David Taylor** (North-West Leicestershire): What progress is being made in preventing young people from taking up smoking. [156290]

The Minister for Public Health (Yvette Cooper): The most recent evidence shows that smoking rates among children aged from 11 to 15 fell from 13 per cent. in 1996 to 9 per cent. in 1999, while adult smoking levels also fell. However, smoking rates among 16 to 19-year-olds rose between 1992 and 1998. That is why the Government have put in place a broad strategy to cut deaths from smoking, including the banning of tobacco advertising, which has a significant impact on smoking among children and young people.

Mr. Taylor: In the next 24 hours, 500 British teenagers will, on average, take a decade off their lives by taking up smoking. Is my hon. Friend convinced that we can reduce that dreadful toll by hitting the targets set out in the 1998 White Paper, "Smoking Kills"? Will she introduce a national scheme to provide children with proof-of-age cards, which have been successful in parts of Leicestershire and elsewhere in reducing under-age tobacco sales? Will she read the *Hansard* record for 24 April, when my ten-minute Bill will be debated, and take the opportunity to review those topics?

Yvette Cooper: My hon. Friend is right that smoking has a huge impact on health. We have already made progress on under-16s, but we have considerably more to do. He mentioned proof-of-age cards, which can play an important part in enforcement strategies to cut under-age sales. We are keen to encourage the sort of programme that has been initiated in Leicestershire, and we shall consider his proposals in detail.

Mr. Nick St. Aubyn (Guildford): Given the appalling increase since the Government came to power in the number of teenagers who smoke illegally imported tobacco, is not it one of the worst cases of Government mismanagement that they increase taxes on tobacco while failing to increase the services and Customs and Excise men to stop the smuggling? It is their fault that these teenagers are now smoking illegal cigarettes.

Yvette Cooper: I must point out that smuggling is a serious problem not only in this country, but in Italy, which has low duty rates. Smuggling is a problem of organised crime and not of duty rates. That is exactly why the

Government are investing more than £200 million over three years in tackling smuggling. The hon. Gentleman's party has not pledged to match that investment. The Conservatives may have made commitments in respect of investing in the health service, but I should point out that, unless they can match our investment in tackling smuggling, as well as in personal social services, they will not have the impact on health and on saving lives that is needed.

Social Inequalities

9. **Mr. Hilary Benn** (Leeds, Central): If he will make a statement on social inequalities in health. [156291]

The Secretary of State for Health (Mr. Alan Milburn): Across the Government, there is a commitment to tackle health inequalities. For the first time, new national targets have been set to reduce the health gap among children and between geographical areas. We have backed that commitment with extra resources for the poorest parts of the country.

Mr. Benn: I am grateful to my right hon. Friend for that reply. Is he aware of the research published by Dr. Richard Mitchell and Professor Daniel Dorling of the university of Leeds, and Dr. Mary Shaw of the university of Bristol, which suggests that about 7,500 lives a year could be saved among people under the age of 65 if inequalities in wealth were to decrease? Does he therefore agree, unlike the previous Government, that reducing poverty has as big a part to play in reducing health inequalities as the improvements in primary health care to which he is committed?

Mr. Milburn: I agree with my hon. Friend. As all hon. Members know from their constituencies, there is a direct relationship between poverty, deprivation and ill health. That is irrefutably the case. We also know from the statistics that a child born today into the poorest family in the land will, on average, live 10 years less than a child born into the richest family in the land, which, for most people, is an unacceptable state of affairs that must change. We know what the attitude of previous Governments has been. The hon. Member for Woodspring (Dr. Fox) summed it up neatly when he said:

"all we hear from the Opposition"—

the Labour party—

"is poverty, poverty, poverty, la, la, la . . . It is just boring for Conservative Members."—[*Official Report*, 22 October 1992; Vol. 212, c. 636.]

It might be boring for the hon. Gentleman, but it is a fact of life for millions of our fellow citizens, which we came into politics to change.

Sir Patrick Cormack (South Staffordshire): Is the right hon. Gentleman aware that many social inequalities are caused by variable waiting lists? Will he address the sort of problem that is faced by constituents of mine who have to wait significantly longer for their treatment at the New Cross hospital in Wolverhampton than those who live in Wolverhampton itself? That is a real social inequality, which needs addressing.

Mr. Milburn: We must ensure that people, wherever they live, whatever their background and regardless of their ability to pay, receive the right treatment when they need it. Sadly, that is not a position to which the Conservative party is committed.

Mr. Eric Illsley (Barnsley, Central): Nowhere are social inequalities in health more apparent than in my constituency, mainly as a result of historical underfunding under the previous Government. Even now, because of the difficulties in my area, my local health authority faces yet another deficit in its health budget of about £3 million. I plead once again with my right hon. Friend to reconsider the funding of Barnsley health authority, whose funding is one of the lowest in the country, to try to alleviate some of those problems.

Mr. Milburn: As my hon. Friend is aware, not only Barnsley health authority but health authorities throughout the country will receive extra investment. He will also be aware that we are committed to changing the way in which cash is distributed within the NHS to ensure that it is much more geared to tackling such appalling health inequalities. In the meantime, we have made £130 million available to 50 or so health authorities with the highest incidence of early deaths and high morbidity from some of the diseases that we have been discussing today, including coronary heart disease and cancer.

We have a simple choice: we can either continue to do what has been done in the past and wring our hands at the dreadful facts around inequalities, regret those facts and say that, in the end, trickle-down economics will hit the poorest communities and the poorest people, or recognise, as the Government do, that we must learn from history that trickle-down economics have failed and have not benefited the poorest people in the poorest communities. We can then redouble our effort to do what Governments for many a generation should have done, which is to improve the nation's health overall and improve the health of the poorest people fastest.

Mr. David Chidgey (Eastleigh): Does the Minister share my worry about the social consequences in communities of CJD outbreaks? Is he aware that the national surveillance unit has just identified a number of clusters throughout the kingdom, including in my constituency, but its preliminary investigations have shown no strong links? I am anxious that there should be a detailed investigation into the causal links between the cases in my constituency. Does he agree that it is vital that such detailed investigations are carried out as quickly as possible, first to identify causal links and, secondly and most importantly, to allay the concerns of those in larger communities who are frightened by that terrifying disease?

Mr. Milburn: The hon. Gentleman is right to say that it is a terrifying disease. The national variant CJD surveillance unit does a good job and, where there are outbreaks or clusters, we must try to find out why. The hon. Gentleman is aware that, in Queniborough in Leicestershire, research was carried out into the background factors that led to a cluster of deaths from variant CJD. If there are other clusters, we shall want to consider background causes. We must do that because we

have to get to the bottom of why these things are happening and, hopefully, in the future, be in a better position to do something about them.

Mr. Lawrie Quinn (Scarborough and Whitby): Does my right hon. Friend recognise the inequalities in health provision in rural areas such as my constituency? Will he confirm that, in future, hospitals such as Whitby community hospital will be a focal point for dealing with inequalities in dentistry provision and eyesight problems, and that they will form a key plank in our strategy for tackling inequalities in rural areas?

Mr. Milburn: My hon. Friend makes a good point. All too often, we perceive health inequalities in terms of the concentration of poverty and deprivation in inner-city or urban areas such as those that my hon. Friend the Member for Barnsley, Central (Mr. Illsley) mentioned. However, as we all know from our constituencies, there are also large concentrations of poverty, deprivation and ill health in rural areas. I therefore give my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) a firm assurance that, when the new formula for distributing cash across the national health service is introduced in 2003, it will have a particular perspective on the way in which we recognise the needs of rural communities.

National Service Framework (Older People)

10. **Dr. Vincent Cable** (Twickenham): If he will make a statement on the national service framework for older people. [156292]

The Minister of State, Department of Health (Mr. John Hutton): The Government are determined to improve the quality and range of NHS and social care services for older people. The national service framework, which was published last month, will ensure fair, high-quality, integrated health and social care services for older people. It sets new standards to help root out age discrimination and drive up the quality of care. Implementation of the new standards will be carefully monitored.

Dr. Cable: May I welcome the framework and ask the Minister how, and over what time scale, he envisages the removal of age discrimination from the NHS? How would the framework apply to my constituent, a 71-year-old lady who is marooned in Kingston hospital after a serious stroke? She cannot be moved because the nearest and most appropriate stroke rehabilitation unit, the Wolfson unit, operates a strict age bar and admits no one who is over 65.

Mr. Hutton: I am grateful for the hon. Gentleman's support for the objective that we aim to achieve through the national service framework. I have been advised that the Wolfson unit does not set age-based criteria for admission as he suggests. I understand that it recently treated a 92-year-old in similar circumstances to his constituent. We have clearly set out in the national service framework that we want all age-based eligibility rules to be reviewed by October this year and the necessary action taken as soon as possible after that.

The hon. Gentleman is a man of good will, and he will understand that it will take time to put right the years of neglect and indifference that we inherited from the previous Administration. We are determined to do that. Older people are the largest users of NHS services and often the biggest supporters of the NHS. It is time for the Government and Parliament to pay proper attention to their needs in the NHS.

Ms Joan Walley (Stoke-on-Trent, North): I thank my hon. Friend for taking such action. It is long overdue and it will make a genuine difference to older people, especially those who suffer strokes and from osteoporosis. Will he work closely with modernisation action in the NHS to ensure that there will be money to enable us to take advantage of the framework and implement it properly where need is greatest?

Mr. Hutton: I certainly agree with my hon. Friend that we have a big task ahead of us in converting the aspirations of the national service framework into tangible improvements on the ground and in the front line. The national service framework has made some important declarations about improvements in stroke care services. They have been strongly welcomed by the Stroke Association, which has worked closely with us to develop the framework. It is a big job and we intend to work closely with all the key partners who have helped us to develop the standards and, of course, with the NHS and social services.

Mr. Desmond Swayne (New Forest, West): Does the Minister agree that the national service framework will be little more than fine-sounding words if we continue to lose intermediate care beds at the current rate? Why have we lost 50,000 such beds in the care home sector in the past 12 months? What will he do about it?

Mr. Hutton: The hon. Gentleman is wrong; 50,000 beds have not been lost in the care home sector. Between 7,000 and 8,000 beds have been lost in that sector over the period that he mentioned. *[Interruption.]* Those are the figures. It is clear to Labour Members that Conservative Members hate being confronted with the truth about issues. However, we intend to deal with them. The number of intermediate care beds in the NHS is set to increase, and it is very important that it does so.

The hon. Gentleman will also want to reflect on the fact that an important part of the extra investment in intermediate care services will be local government investment through social services. I know that he does not like this, but let me remind him that his lectures on the subject are utterly bogus unless and until his hon. Friends can agree to match our spending on social services. They have been given numerous opportunities to do that, but they have never to this date said that they will match our spending.

Children's Hospices

11. **Mr. Lindsay Hoyle** (Chorley): If he will take steps to ensure that children's hospices receive the same level of funding as adult hospices in future allocations. [156294]

12. **Mr. Peter Bradley** (The Wrekin): What new resources are to be provided for existing children's hospices. [156295]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): Children's hospices have the same access to health service funding as adult hospices. We are increasing funding for the provision of palliative care services and expect children's hospices to benefit thereby. In addition, funding will be available later this year from the new opportunities fund, specifically for services in support of children with life-threatening illnesses, including those provided by children's hospices.

Mr. Hoyle: It is an interesting answer. My hon. Friend may be aware of the excellent work done by Derian house in my constituency, which treats children not only from the north-west but from other regions. It is a very specialist children's hospice. Is she aware that children's hospices are the poor relations when it comes to funding, and that they received only £25,000, which is not acceptable? I put down a challenge to my hon. Friend: please will she personally look into the funding of children's hospices and ensure that there is a big improvement in what they receive? I know that we could work together for the benefit of children's hospices.

Ms Stuart: Not only am I happy to take up that challenge but I have in front of me details of Derian house, and I am aware of the good work that it does. We have to ensure that children's hospice provision is developed in a strategic way, and that is why we have set up a regional group. I urge my hon. Friend to encourage the hospice in his constituency to take part in that review. We have also made new funds available. The new opportunities funding that was announced recently by the Department for Culture, Media and Sport will make available about £300 million to spend on health initiatives. We envisage that about £48 million will be available over the next three years to provide palliative care for children with life-threatening and life-limiting illnesses. I hope that he will encourage the hospice to be part of that process to ensure that strategic care is provided in his area.

Mr. Bradley: I am sure that the Minister will want to join me in paying tribute to the Shropshire and Mid Wales adult hospice and the Hope House children's hospice, which serves my community. They, and the hospice movement in general, welcomed the announcement of additional funding made by the Secretary of State last October, but six months later they are still seeking clarity. Will my hon. Friend confirm that the new resources will meet the needs not only of new initiatives in children's hospice provision but of existing hospices? Will she also confirm that a contribution will be made towards core funding, as well as new initiatives at those hospices? The hospices have been waiting a long time for the clarity that they seek, and they need some assurance from my hon. Friend the Minister so that they can plan for the future.

Ms Stuart: Of course; that is why the directions laid down for the bidding for new opportunities funding will provide exactly what my hon. Friend asks for. I have looked at the provisions for Hope House hospice and I note that the secretary of its association is a member of the children's taskforce and is playing a key role in the Association of Children's Hospices. I know from a meeting today that the association is satisfied that the current arrangements will allow hospices to plan for the future in the best interests of the children who need and deserve that care.

Mr. David Tredinnick (Bosworth): Will the Minister ensure that some of the extra money will go towards paying for the complementary therapists who do so much in hospices such as the Loros in Leicestershire? Now that the Government have helpfully published the response to the Lords report on complementary medicine, will she pledge perhaps £100,000 towards research?

Will the Minister have a word with a counterpart of hers? If homeopathy is good enough for humans, is it not good enough for animals in the foot and mouth disease crisis? Will she have a word with the Minister of Agriculture, Fisheries and Food?

Ms Stuart: I have long since stopped thinking of supplementary questions from the hon. Gentleman; I think of complementary questions. He is aware that homeopathy has played a significant role in palliative care. We shall continue to look at that and take it forward.

Sir Teddy Taylor (Rochford and Southend, East): Is the Minister aware that, in Southend, where for many years we have had a wonderful hospice called Fair Havens and where, more recently, a children's hospice has opened, although we raise increasing sums every year to help the hospice, because the percentage of funding covered by public funds is being reduced, the burden is becoming greater every year? Does she not feel that there might be a case for a proper review by the Department of the percentage funding carried by the Government for both adult and children's hospices, because the percentage is genuinely going down and the burden on the community is continuing to increase?

Ms Stuart: I am aware that we need to increase the total amount of funding available for palliative care. That is why we made £50 million available for both adults and children. However, as I said earlier, children's hospices in particular have developed in a non-strategic way, so we need to ensure that each region has proper provision. Within that, children's hospices will bid for both health improvement money and new opportunities funding, so that we can strike the right balance between what is raised from the voluntary sector and what the NHS provides. That will vary from area to area.

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts and a Measure:

Vehicles (Crime) Act 2001.

Criminal Defence Service (Advice and Assistance) Act 2001.

Election Publications Act 2001.

Regulatory Reform Act 2001.

Elections Act 2001.

Kent County Council Act 2001.

Medway Council Act 2001.

Churchwardens Measure 2001.

Points of Order

12.32 pm

Mr. Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. Despite Government assurances to the contrary, I have been receiving reports all morning from Gentleshaw in my constituency and from elsewhere that people delivering census forms have been walking in sensitive areas—in farms and along country lanes—and so risking spreading foot and mouth disease still further in my part of Staffordshire. There must be some mechanism by which, if that continues throughout the recess, I can make formal contact with Government Departments to ensure either that Government guidelines are kept to—namely, that the forms are delivered by post—or, as I would prefer, given that the Prime Minister has decided to postpone the county elections for a month because of foot and mouth disease, that the census application forms will also be delayed for at least a month, or until the foot and mouth outbreak is over. What mechanisms are there during the recess, other than a phone call or letter, whereby I can report the transgressions that are spreading foot and mouth disease?

Mr. Speaker: I would say that phone calls are the best mechanism. There is nothing to beat a phone call in these circumstances.

Mr. John Wilkinson (Ruislip-Northwood): On a point of order, Mr. Speaker. As the custodian of our liberties, could you ask a Law Officer of the Crown to come to the House today to make a statement on the implications for British justice of the extraordinary conviction of a freedom-loving Englishman in Sunderland for selling produce in the measures of his birth? It is a matter of grave significance for freedoms in our country.

Mr. Speaker: That is not a point of order.

Mr. Dale Campbell-Savours (Workington): On a point of order, Mr. Speaker. Did you possibly miss a Bill when you read out the list of Bills that have been given Royal Assent? Did you not miss the regulation of PR companies Bill?

Mr. Speaker: No.

BILL PRESENTED

CRYSTAL PALACE

Mr. Geraint Davies, supported by Mr. Stephen Twigg and Ms Oona King, presented a Bill to transfer the Crystal Palace and Park to the Greater London Authority; to restrict commercial uses of the said land; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 11 May, and to be printed [Bill 84].

Regulation of Debt Management and Credit Repair Services

12.34 pm

Mr. David Amess (Southend, West): I beg to move,

That leave be given to bring in a Bill to amend the Consumer Credit Act 1974 to give the Director General of Fair Trading a duty to establish a Code of Practice for traders who offer consumers the services of debt management and credit repair; and for connected purposes.

I came into some money at the weekend, when I was one of the tiny number of those who won on the grand national. Unfortunately, my stake of £2 each way did not yield winnings sufficient to service adequately the huge debt that has been incurred by people across the United Kingdom. However, I believe that the largely unregulated way in which the current system works allows the most vulnerable sectors of society to be led slightly astray by some advertisements, particularly in tabloid newspapers.

If my Bill were to become law, traders would be obliged to comply with a code, and the Director General of Fair Trading would be given powers to enforce compliance with it by use of compliance orders, fines and compensation orders. The Bill would also ensure that, before publishing the code, the director general is required to consult representatives of consumers and those who are likely to be affected by it. The code would be published and widely disseminated.

The Bill would prescribe the issues to be addressed in the code of practice, including the advertising and marketing of personal debt services; the terms on which such services are provided; charges; the standards of services to be provided by the trader; arrangements in debt management services for the protection of client moneys; arrangements for ensuring the competence of the trader's staff; procedures for handling complaints from consumers; and any other such matters as the director general, having consulted, considers necessary and appropriate for the protection of consumers' interests.

I know that the Minister for Competition and Consumer Affairs is interested in the issue because I recently had the good fortune to attend a meeting that he hosted and at which I engaged in conversation with representatives of citizens advice bureaux. I decided to persuade the House of the Bill's merits largely because of those conversations.

The National Association of Citizens Advice Bureaux recently published a report, entitled "Daylight Robbery", that highlights the fact that consumer credit borrowing has increased dramatically in the past 20 years. In the past 21 years, there has been a revolution in the consumer credit industry. As of August 2000, outstanding unsecured consumer credit in the United Kingdom amounted to £122 billion. It is a huge sum, equivalent to £3,425 for every adult between 18 and 65 in the United Kingdom.

Consumers' enthusiasm—I do not criticise them for it—to buy now and pay later has been matched by credit companies' willingness to devise an ever greater range of credit products. In the past two years, citizens advice bureaux across the country have reported a 37 per cent. increase in the number of inquiries on consumer credit debts. In the past 10 years, citizens advice bureaux and other free advice agencies have seen an increase in the number of commercial companies offering services for a fee to those who are in debt. Undoubtedly the number of such companies has mushroomed.

Since deciding to promote this Bill, I have been inundated by letters from people describing their debt problems. However, as I said, although I came into money at the weekend, I am afraid that my £86.50 will not be sufficient to service all their debts. Nevertheless, I should like to share one example with the House. One person, whom I shall call "client A", has one dependent child. The client contacted a debt management company for help with debts of £25,000, and the company told the client that creditors would accept offers of £1 per month. However, when bailiffs began to call at the client's home, the client discovered that no agreement had been reached with creditors.

The client went to the CAB for advice. The CAB adviser discovered that the client's total debt was £51,000. When the CAB spoke to the client's creditors, it found that the debt management company had not made any arrangements with creditors. The creditors told the adviser that they would rather deal with the CAB than with a debt management company. I am delighted to say that, as a result, the CAB has the client's debt under control.

The National Consumer Council contacted me, saying:

"People are often at their most vulnerable when needing debt management services. To feel confident in using them, they need clear information about the choices available in the market place"—

this is what I am asking the Minister to consider—

"and also to know what to expect from both fee charging and free services."

The NCC believes:

"debt management services should be properly regulated".

I am also indebted to the *Sunday Express*. A journalist there called Rachel Baird has, for the last few weeks, written a series of articles headed "Debt 'Parasites' Spark Crusade", in which she has reported the experiences of all sorts of people who—sadly—have got into debt, panicked and gone to some of the companies that I am describing, with very unfortunate effects.

The company Direct Line has contacted me to say that it

"is concerned many consumers are using the services of these agencies without being fully aware of the potential consequences and costs. Often, it would be more effective for the consumer, and in their best long-term interests, to deal directly with the lender".

Direct Line is concerned about misleading advertising, hidden costs, the impact on credit rating, failure to take the full financial situation into account, and long-term costs.

Equidebt is another company that has contacted me. It speaks of a breed of cash flow managers targeting vulnerable people who want up-front payment of some sort. It says that such managers want to make money out of such people. The Finance and Leasing Association also contacted me.

As we all know, there are many advertisements for such services in the newspapers. They say, for instance, "Debt Problems? Money Worries?", offer "unsecured personal loans", and make such statements as

"We could arrange you a mortgage fast!"

Perhaps many of those companies are responsible; perhaps the majority give good advice. Unfortunately, according to the citizens advice bureaux, not all of them do.

Many of the advertisements suggest that, for a fee, companies advertising credit repair services can wipe the slate clean for those who have got into money difficulties in the past and had court judgments recorded against them. That is nonsense.

There is a real need for consumers to be protected from the services of debt management and credit repair companies. Those needing such protection are undoubtedly the poorest and most vulnerable members of society. I hope that the House will support the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. David Atkinson, Mr. Richard Burden, Mr. Simon Burns, Sir Sydney Chapman, Mr. Roger Gale, Mrs. Linda Gilroy, Mr. Mike Hancock, Ms Oona King, Mrs. Marion Roe, Mr. Alan Simpson and Mr. David Wilshire.

Regulation of Debt Management and Credit Repair Services

Mr. David Amess accordingly presented a Bill to amend the Consumer Credit Act 1974 to give the Director General of Fair Trading a duty to establish a Code of Practice for traders who offer consumers the services of debt management and credit repair; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 27 April, and to be printed [Bill 85].

Points of Order

12.44 pm

Mr. Tim Yeo (South Suffolk): On a point of order, Mr. Speaker. The House goes into recess this afternoon, and during the next 12 days it is certain that many hon. Members on both sides of the House will be questioned about the foot and mouth disease crisis. To measure the progress that has been made in overcoming the crisis, the Ministry of Agriculture, Fisheries and Food was—until last Thursday—publishing daily figures for the number of animals authorised for slaughter, the number being slaughtered and the number of carcases disposed of. However, when I asked the Minister of Agriculture, Fisheries and Food yesterday whether that daily publication would continue during the recess, he was unable to give an answer during the hour and a half that he spent in the House.

Do you, Mr. Speaker, have further reassurance from MAFF that the information will be made available to hon. Members? That is essential if they are to answer the proper concerns of their constituents during the recess. If the information is not available, we shall not be able to judge whether the crisis is getting worse or better. I hope that the Minister will give you an assurance before the House rises that the information will be available.

Mr. Speaker: That is not a matter for the Chair. The hon. Gentleman will know that yesterday I allowed the statement made by the Minister of Agriculture, Fisheries and Food to run for an hour and a half, so that everyone concerned could closely examine the case that the right hon. Gentleman put. I can tell the hon. Gentleman only that the Minister will have heard his comments and will—I have no doubt—take serious note of what he said.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Speaker. You have indeed been extremely helpful to the House over the foot and mouth crisis. Many times in the past, the suggestion has been made that Members should be able to table written questions during the recess for written answer. I do not know whether it is within your discretion to allow that during the forthcoming recess; I accept that it may not be. However, if it is, will you allow it? If it is not, will you be kind enough to refer the matter to the appropriate Committees so that perhaps, in future, we may have the chance to put such questions?

Mr. Speaker: Questions can be tabled, but they are not answered. The matter has been looked at by the appropriate Committee; I understand that it is still being examined. Until the Committee comes up with an answer, I can have no discretion in the matter.

Orders of the Day

International Development Bill (Programme) (No. 2)

12.47 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Chris Mullin): I beg to move,

That in the Order of 6th March (International Development Bill (Programme)) the following be substituted for paragraphs 4 and 5—

4. Proceedings on consideration and Third Reading shall be completed at today's sitting.

5. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion at Three o'clock.

5A. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at Four o'clock.

The motion proposes that the remaining stages of the International Development Bill be completed in the House today. It is supplementary to the programme motion approved for the Committee stage, which finished on 15 March.

The Bill is important, but it is also short, simple and uncontroversial. We have already spent about 16 hours debating it—seven on Second Reading and nine in Committee—and have covered a great deal of the ground. I hope that our debate today will be similarly constructive and that, to that end, we shall not spend too much time debating the programme motion. I commend the motion to the House and will set an example by sitting down.

12.48 pm

Mr. Gary Streeter (South-West Devon): I certainly do not want to detain the House for too long on the programme motion—frankly, there is precious little time this afternoon to discuss some important amendments to an important Bill. However, the Minister would not expect me to let him off the hook quite that lightly. It is important to record—yet again—some important points of principle about the way that the Government whistle legislation through the House without proper scrutiny or consideration.

The Bill was printed on 15 February this year. Second Reading took place on 6 March. The Bill went into Committee on 12 March and was out again on 15 March. When it came out of Committee, several important new clauses—some of them drafted by me—had not been considered. In one sense, the Minister is right to say that the Bill is relatively uncontroversial. However, because it sets out the framework for international development—probably for many years to come; the previous Act of this type was in force for 21 years—it is essential that we get it right. The Conservatives and other hon. Members have raised important points that we want the Government to consider.

Today, we have two hours to consider 12 important amendments—one or two of which are fundamental to the essence of the Bill. That is not enough time. However, our main complaint about the programme motion, as you will know, Mr. Speaker—I suspect that you have heard this speech once or twice since Christmas—is one of principle. These newfangled programme motions are being imposed on the House of Commons by a heavy-handed Government using their massive majority.

BEST COPY AVAILABLE

The result is that debate is stifled and insufficient scrutiny given to legislation. We all know that that means that legislation will be less good than it would otherwise be.

In this case, the community of non-governmental organisations has not had time to study the Bill properly, nor had an opportunity to make its comments on the Bill known to us. There has not been enough time during the Bill's consideration to tease out important points from the Government.

Mr. John Bercow (Buckingham): Does my hon. Friend agree that if the Government increased the allocation of time for Report, it would be possible to incorporate in the Bill the terms of the Organisation for Economic Co-operation and Development convention against bribery in international business dealings, thereby answering the consistent call of Her Majesty's Opposition and the recent request of the hon. Member for Putney (Mr. Colman)?

Mr. Streeter: My hon. Friend makes an important point. It is one of the many failings of the Government in the last 12 months that they have failed to introduce important anti-bribery legislation, despite a commitment from a Minister in April 2000 to do so at the earliest opportunity. The earliest opportunity came in the Queen's Speech in the autumn; it came and it went. The legislation was not in the Queen's Speech and there is insufficient time to insert it into the Bill that we are considering today.

I ask the Government again to reconsider programme motions. They clearly are not a great success and there is no point in driving through legislation if it later turns out to be bad legislation because of insufficient time.

Members of Parliament are all in this place for a number of reasons. We are here to represent our constituents—that is important. We are here for some of us to become members of Governments and shadow Governments. But above all, we are here as Members of Parliament to make law. That is what our constituents think they send us here for. Perhaps we are becoming too much like glorified social workers now, but we are really here to make law.

It is important that there is consensus across the Chamber on the rules of procedure by which we seek to make and improve law. There are 659 of us in the House, all of us having the incredible privilege of being one of a small number of people in this country who can make legislation. What a great privilege and onerous responsibility that is. The onus therefore is on the Government to ensure that our rules of law making are fair, and that they give proper time for scrutiny, and proper time for Her Majesty's Opposition to consider things properly. That is not the case with this programme motion. For those reasons, I wish to register our firm opposition to it.

12.52 pm

Mr. Simon Thomas (Ceredigion): I shall speak briefly in opposition to the programme motion and to echo many of the points of the Conservative spokesman. The Minister is right that the Bill is simple, short and relatively uncontroversial, and it will remain uncontroversial if we do not get much opportunity to add anything to it.

As the Minister said, the Bill has had 16 hours of scrutiny, but I emphasise that Report is one of the few opportunities that ordinary Back Benchers, especially Back Benchers from minority parties, have to table amendments and hear them debated. I hope that we shall have the opportunity to do so this afternoon, but I believe that, in guaranteeing only an hour and a half for Report, the Government have done a disservice to their own Bill.

Dr. Jenny Tonge (Richmond Park): Would we not all have more time to debate important amendments to the Bill if we stopped talking about the programme motion and got on with it?

Mr. Thomas: I do not accept that point at all. It is right and proper that we challenge the Government when they table programme motions such as this one. This is only the second time that I have spoken in a debate on a programme motion; I do not make it a habit. I do make it a habit, as I believe that the hon. Lady does, to oppose programme motions, because in drafting those motions the Government never allow sufficient time for debate.

I do not oppose programming on principle. If we allow enough time for Back Benchers to speak and for scrutiny of the different clauses, we should be able to reform the House, and should have a proper amount of time to go through every clause, but that does not mean that we should sit mute when the Government move an inappropriate programme motion. After Report and Third Reading, we shall have an Adjournment debate on matters to be considered before the Easter recess, which is a nice tradition in the House but less important than the vital job of legislation. We have got our priorities slightly wrong, and it is appropriate to take the opportunity to say so.

This is an important Bill, and there are some important issues that need scrutiny, especially in the first group of amendments on the Bill's objectives. For that reason, I did not intend to speak for more than a couple minutes but it was important to make our views known.

12.55 pm

Mr. Edward Leigh (Gainsborough): I was surprised by the comment made by the hon. Member for Richmond Park (Dr. Tonge), because she seemed to blame those hon. Members who want to make a couple of perfectly serious points on the programme motion. Under this procedure, every minute that we use to debate the programme motion comes out of the total debate, and that is unfair.

My hon. Friend the Member for South-West Devon (Mr. Streeter) said that we have about two hours to discuss all 10 amendments; but, of course, we will only have two hours if we have a very short programme motion debate. That puts us under intolerable pressure and is not a fair way to proceed.

The Minister defeated his own argument by saying that the Bill is non-controversial. It is non-controversial, but with such a Bill, it is right and proper for the Government to agree with the Opposition, through the usual channels, exactly how much time is needed. Perhaps two hours may be enough, or perhaps three hours would be right, but narrow time limits have been imposed without explanation. The Minister made no attempt to explain why we must finish this business by 4 o'clock, especially given that all that follows is the Easter Adjournment debate, so there is no rhyme or reason for doing so. The Government are simply determined to table programme motions on everything.

[Mr. Edward Leigh]

There are 10 amendments in four groups. If we debated each amendment for the same time, we would spend about 10 to 12 minutes on each. The Bill may not be controversial, but while a Bill may be non-controversial in a party political sense, people may still have serious points of view. International development is vital to many people outside the House. They are concerned about poverty in the third world and want Parliament to have a serious debate. They may well look askance at a Parliament that, on average, devotes only 12 minutes to each amendment.

Perhaps some of the amendments need no debate at all, but for the Government arbitrarily to lay down such a time limit on such a Bill damages the political process and the parliamentary process. The programme motion is unfair, and I regret and oppose it.

12.57 pm

Mr. Tom Clarke (Coatbridge and Chryston): I had not planned to take part in this debate, but having been present during the whole debate on Second Reading and having served on the Standing Committee that considered the Bill, I thought that it might be appropriate to say a few words. I might even persuade the hon. Member for Gainsborough (Mr. Leigh) that he protests too much.

I refer the hon. Member for South-West Devon (Mr. Streeter), as well as his colleagues, to the *Official Report* of the proceedings of the Standing Committee. I genuinely invite them to consider whether the Committee's time, which they protested earlier was not enough, was used in the best interests of the Bill and the procedures of the House. I shall offer them a few examples of the kind of trivia that the Committee had to consider for two days, although I concede that everything that was said must have been in order or the Chairman would have ruled it out of order.

As reported in column 6, the hon. Member for Chesham and Amersham (Mrs. Gillan) thought it right to tell us the story, yet again, of David and Goliath—all very interesting. As reported in column 8, the hon. Member for Blaby (Mr. Robathan) lectured my hon. Friend the Member for Harrow, East (Mr. McNulty) on his girth. Later, as the discussions continued, the hon. Member for Faversham and Mid-Kent (Mr. Rowe), who normally makes constructive contributions, asked the Committee to focus on the need to export abroad, as he put it, Elizabeth Filkin. Those subjects are fascinating, but whether they help the Bill or international development is another matter entirely.

We then moved on to the bizarre events of the afternoon of Thursday 15 March. All the members of the Committee assembled for our fourth sitting at 2.30 pm, but the Chairman, the hon. Member for Bournemouth, West (Mr. Butterfill), was not there. He was half an hour late, and without the assistance of one of my hon. Friends, who started the Committee proceedings seven minutes late, we would have been delayed still further. The hon. Member for Chesham and Amersham then took another seven minutes to complain that we did not have enough time.

We are being told by the Opposition today that Parliament is being short-changed. However, if one reads columns 81 to 82 and 88 to 89 of the report of the Committee proceedings, one will find that we had an exchange on contact lenses, the work of opticians generally and the wonderful merits of hormone replacement therapy. I found that fascinating, but we were supposed to be making progress on the Bill and the important subjects that it covers, so was that a sensible use of our parliamentary time? I can tell the hon. Member for South–West Devon that I certainly did not think so.

At the heart of the Bill lies the need to challenge poverty internationally. The Bill is a move in the right direction, and I would do the House no further service if I did not sit down now and allow it to continue with its important business.

1.2 pm

Mr. Bowen Wells (Hertford and Stortford): The right hon. Member for Coatbridge and Chryston (Mr. Clarke) was making the case of my hon. Friend the Member for South-West Devon (Mr. Streeter) when he spoke as he did about the Committee stage. It was perfectly possible for the Government and the Opposition to agree between them how much time the Bill needed. As I understand it, no consultation took place, and the result was that because the Opposition rightly oppose the whole concept of programming consideration of Bills, we had the kind of discussion about which the right hon. Gentleman complains. I have only read those exchanges—I did not participate.

My hon. Friend the Member for Gainsborough (Mr. Leigh) is right when he complains that we do not have sufficient time this afternoon properly to discuss the important questions on the Bill. It is a disgrace to Parliament; it is the wrong way to proceed, and we should not be in this position. The Bill deals with substantial matters of practical importance, not the party political issues between us. We need to understand and properly debate them. However, we have so organised Parliament that that will not happen. I only hope that in the time now left to us we can have an important, reasonable and sensible debate.

Question put:—

The House divided: Ayes 244, Noes 75.

Division No. 185] **[1.4 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Anderson, Rt Hon Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Barron, Kevin
Battle, John
Bayley, Hugh
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Rt Hon Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Browne, Desmond
Burden, Richard
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Coleman, Iain
Colman, Tony

Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, Rt Hon John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Rt Hon Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Healey, John
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hood, Jimmy
Hope, Phil
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Joyce, Eric
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Malliaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Don Touhig and
Mr. David Jamieson.

NOES

Allan, Richard
Amess, David
Atkinson, David *(Bour'mth E)*
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brand, Dr Peter
Browning, Mrs Angela
Burnett, John
Burns, Simon
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Evans, Nigel
Foster, Don *(Bath)*
Fox, Dr Liam
Gidley, Sandra
Gray, James
Harvey, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lewis, Dr Julian *(New Forest E)*
Livsey, Richard
Luff, Peter
McIntosh, Miss Anne
McLoughlin, Patrick
Mawhinney, Rt Hon Sir Brian
Moore, Michael
Nicholls, Patrick
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Simpson, Keith *(Mid-Norfolk)*
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Tyler, Paul
Viggers, Peter
Wallace, Rt Hon James
Walter, Robert
Waterson, Nigel
Wells, Bowen
Wilkinson, John
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. Christopher Chope and
Mr. Edward Leigh.

Question accordingly agreed to.

Orders of the Day

International Development Bill

Not amended in the Standing Committee, considered.

New Clause 2

REDUCTION IN POVERTY: AID GIVEN THROUGH THIRD PARTIES

'.—The Secretary of State shall make arrangements to ensure that no United Kingdom Government aid for a developing country or countries which is to be disbursed via a third party (including multilateral development banks, United Nations agencies, and institutions of the European Union) is made available to that third party unless he is satisfied that it is likely to contribute to a reduction in poverty.'.—*[Mr. Streeter.]*

Brought up, and read the First time.

1.15 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Chris Mullin) *rose—*

Mr. Speaker: Order. I do not think that the Minister should be moving the clause.

Mr. Gary Streeter (South-West Devon): May I just say that the Minister would get away that lightly only in his dreams?

I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following amendments: No. 2, in clause 1, page 1, line 10, at end insert—

'or the promotion of good governance'.

No. 5, in page 1, line 18, leave out from "that" to end of line 20 and insert—

'in the opinion of the Secretary of State, meets the needs of the present generation without compromising the ability of future generations to meet their own needs.'.

No. 6, in page 1, line 20, at end insert—

', but does not allow for any dilution of the developmental purpose to reflect commercial, political or other considerations.'.

No. 3, in clause 4, page 2, line 10, after "may", insert—

'provided he is satisfied that to do so is likely to contribute to a reduction in poverty or the promotion of good governance'.

No. 4, in clause 11, page 5, line 17, at end insert—

'(3A) No payment may be made under this section unless the Secretary of State is satisfied that to do so is likely to contribute to a reduction in poverty or the promotion of good governance.'.

Mr. Streeter: This group of amendments is primarily about two vital issues. We are short of time in this important parliamentary debate so, if the House considers nothing else and if the Minister listens to nothing else this afternoon, may I urge him to listen to our arguments on good governance and all of the aid spending realised by the United Kingdom through third parties, including the European Union, the United Nations and other multilateral organisations? Will he consider extremely carefully the points that we seek to make?

I should like to talk about good governance. Obviously, our amendment addresses the issue of good governance, which we want included in the Bill. There was a long but curtailed discussion about good governance in Committee, and I must tell the Minister that it is fundamental for us. There is nothing new in people in international development talking about the subject. My distinguished predecessor Baroness Chalker—although I do not believe that she ever occupied my position in opposition—talked a lot about good governance and did many good things to establish a proper focus on good governance in British aid policy. I accept that the Minister and his boss, the Secretary of State, often talk about good governance and that it is part of the British aid programme. However, we are arguing that it is not just one factor to be considered in British aid; it is not an optional extra, but the very core of what British aid should be if it is to make a difference to the starving millions around the world.

The Opposition accept and embrace the poverty focus in the Bill but, from our experience and all that we read from commentators and experts, we believe passionately that if we are to deliver a reduction in poverty in the next few years for those living in abject misery and privation, we must put in place in the developing countries that we are seeking to help a much stronger framework for democracy, the rule of law, a strong civil service and burgeoning civil society. That is the essential framework for reducing poverty in those nations.

I have read carefully the Committee proceedings and disagree with the right hon. Member for Coatbridge and Chryston (Mr. Clarke), whose contributions I usually support, as I did not see any evidence of people being distracted or going off on a frolic of their own, as Lord Denning famously said. There were only two or three sentences suggesting such behaviour, but that happens in any Committee in which Members of opposing parties throw ideas at one another that may not be directly to the point. However, the Committee was focused and there was not enough time to deal with all of our important new clauses and amendments.

The hon. Member for Richmond Park (Dr. Tonge) asked why Conservative Members were focusing on good governance, not education, clean water or promoting the position of women. All those issues are important but, as I said, good governance is not just another factor. When building a house, one must have doors, windows and a roof; one cannot get anywhere without a foundation or framework. Good governance is the foundation and framework of any aid policy that this country must operate. It is not an optional extra—the doors and the windows—but the framework, the foundation, the absolute essence. It is because we are so passionately convinced of that that we want it reflected in the Bill.

We want good governance to be the focus for this Government, our next Government—who will come to office on 7 June—and future Governments of whatever political colour. We want it to be the framework of our aid policy for years to come. I hope that the Minister will consider amendment No. 2 carefully and agree that such an important foundation needs to be expressed in the Bill.

I know that the Minister greatly respects the things that I say—he looks bewildered and puzzled by that—but such comments are not just my thoughts and observations. Increasingly, international development experts and commentators around the world are concluding that good governance is an essential ingredient.

The excellent United Nations development programme poverty report 2000 states:

"Effective governance is often the missing link between anti-poverty efforts and poverty reduction.

A missing link between anti-poverty efforts and poverty reduction: governance. Even when a country tries to implement economic policies to foster pro-poor growth and mount targeted poverty programmes, inept or unresponsive governance . . . can nullify the impact.

When Governments are unaccountable or corrupt, poverty reduction programmes have little success in targeting benefits."

That emphasises that, if one is not careful to work with a Government of a developing country to build good governance into the system, so many of our aid and development programmes become merely a mechanism of pouring money into a black hole. We have seen that over many years.

The World Bank policy research report, "Assessing Aid", of November 1998, with which the Minister is no doubt familiar, states on page 4:

"First, financial assistance must be targeted more effectively on low-income countries with sound economic management. In a good policy environment financial assistance is a catalyst for faster growth, more rapid gains in social indicators, and higher private investment. In a poor policy environment, however, aid has much less impact. Clearly, poor countries with good policies should receive more financing than equally poor countries with weak economic management."

In order further to back up my arguments, the excellent report, "Aid and Reform in Africa", of 27 March 2001—a very recent report—also by the World Bank, states on page 33:

"Successful reform is undergirded by a strong commitment to good governance. This is essential for rebuilding business confidence".

Good governance is not an optional extra, but the very heart of the matter.

There is a second point that I wish to make to back up our arguments for the expression of good governance in the Bill. It is an important, practical point. All of us in this Chamber want to bear down on global poverty. There is not a single Member of Parliament who is not horrified and repulsed by the poverty that we see when we travel to some of the worst slums in the world. We want to make our own contribution to alleviating that. Most of us are also practical people, however, and we want to know that we are not merely wasting money and coming up with good-sounding language, but focusing on what works.

It is a truism that we have in this country a rich history of good governance. It does not always feel like that; when debating the programme motion, we could have persuaded ourselves that some of our good governance is under threat. However, with our stable democracy, our strong civil service, with which we look forward to working in just a few weeks, and our much respected independent judiciary, we have the history, knowledge and expertise in governance that we can share with developing countries, and which they are hungry to learn from us.

Who in this Chamber can doubt that we know how to collect tax? In many developing countries, they have no such expertise or systems of tax collection. We know all about Customs and Excise, security forces and civil society. I am not saying that we have it all sorted out or that we live in a perfect society—far from it.

Mr. Andrew Rowe (Faversham and Mid-Kent): Does my hon. Friend agree that one of the shadows on the picture is the cost of elections? There are many developing countries where the cost of getting elected is so high that it is wholly unrealistic to expect a Member of Parliament not to spend his time in office trying to reimburse himself. That, of course, sharply undermines good governance.

Mr. Streeter: From his vast experience, my hon. Friend makes an important point. That is indeed the case. Some of the work that we have done in the Westminster Foundation for Democracy, about which I shall say a few words later, reinforces his point. It is not just the cost of getting elected; sometimes, in developing countries, the salary levels of people in important civil service positions are so low that although one can never condone corruption, there is almost an imperative for them to be open to such inducements in order to feed their families.

We have vast expertise in this country, and many in the developing world are hungry to learn from us about building good governance in their countries. There is a danger that the international development community is trying to do too much—its work is too scatter-gun. It would be far better to focus on a key issue, such as good governance, which will strengthen the framework, and to make sure that we can deliver on it.

From my experience with the Westminster Foundation for Democracy, which I strongly believe in and support—I am the vice-chairman of that excellent organisation—I know that democracy-building is long term, invisible, intangible and difficult to measure. However, I also know that it is essential for strong frameworks to grow and develop in developing countries, particularly those that have no recent history of democracy. We can be proud of the work of the British Council in supporting good governance abroad, and that work needs to be expanded.

I have set out two reasons why good governance should be written into the Bill, and there is a third reason. Focusing on strengthening the governance of a nation state is dealing with the world as it is. We know that globalisation is going on all around us, and we read books and articles and go to conferences about it. There are people out there protesting and trying to stop globalisation and the march of the multinational corporations. Sometimes they have a point, and sometimes they have a less strong point.

Most of us in the Chamber believe that there is no stopping globalisation: it is happening, and there is nothing much that we can do. In part, it is due to the success of the technological breakthroughs of recent times, increased mobility and the telecommunications revolution. Globalisation is here to stay. There are those who are trying to stop it, but others argue that it contains the answers to every problem faced by humankind. There are globalisation junkies who say that we should be thinking about global governance and allowing multilateral organisations to tackle the issues globally.

That is not yet the real world. Perhaps one day we will move towards global governance, although I have profound doubts about that. It does not seem to strike a chord with the reality of human nature, but there are those who think that that is the way to solve the problems confronting us, and there is an increasing fashion in international development to think along those lines.

However, we are still a world of nation states. The decisions of a national Government are still by far the most important decisions impacting, for example, on a

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[Mr. Streeter]

child in Malawi. They are more important than anything that the World Bank or the International Monetary Fund may say or do. In trying to build good governance and working with the Government of Malawi to strengthen democracy, the civil service and civil society in that country will help them to make better decisions on behalf of the children of that country. By promoting good governance, we are cutting with the grain, not against it. We are not floating off into some philosophical nonsense about globalisation solving all our problems.

The world is made up of nation states, and this policy supports that important truth. I hope that the Minister will listen to these arguments.

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful to my hon. Friend for giving way. Does he accept that the advanced western nations are sometimes good at intervening militarily to prevent or suppress tyranny, but are often not very good at following up to create sustainable democratic civil institutions—in other words, good governance? That is why it is essential that when we give aid to countries such as Bosnia-Herzegovina we should try to promote the sustainable civil institutions.

1.30 pm

Mr. Streeter: My hon. Friend is right. Such action is hard to take, but it is ultimately the only solution. When we visit Kosovo and the Balkans, as I have done in the past couple of years, we sense that the NGO community has moved in, is reluctant to move out and is making all the decisions. It is far better for us to be strengthening capacity in emerging nations and allowing them to have proper, strong institutions of government. My hon. Friend makes a powerful point. No one is saying that such help is easy to provide, but it should be the focus of our aid. Those are the reasons why I believe that good governance should be included in the Bill and why I urge the Government to accept amendment No. 2.

I want to speak now to new clause 2, which deals with a similar but unrelated point. We accept that UK aid should have a poverty focus, but the stark reality is that 50 per cent. of the Department for International Development's budget is spent not by the British Government, but by other multilateral organisations. Some 30 per cent. is spent through the European Union, and up to 20 per cent. is spent via the United Nations and other multilateral organisations. Thus, 50 per cent. of our aid will not be subject to the poverty focus. The new clause asks the Government, what is the point of introducing an important safeguard and framework for UK aid spend, when half the money that we spend will not be subject to the poverty focus?

I do not want to bore the House with the failings of the EU aid budget. Very few quotations suffice to make the point, which we have debated time and time again. To be fair to the Secretary of State, she has been as critical as anyone of the EU's scandalous and abysmal failure in promoting the interests of the poorest people in the world. On 17 May 2000, she said:

"Anyone who knows anything about development knows that the EU is the worst agency in the world, the most inefficient, the least poverty-focused, the slowest, flinging money around for political gestures rather than promoting real development."

I sometimes wish that she would more often say what she really means. In November 1999, she said:

"The EU's development efforts are very, very, very ineffective. There is poor management and then they get fraud".

In the *Financial Times* in July 2000, she said:

"The EU is running out of time to make concrete improvements in quality and effectiveness on the ground."

In the same article, she said:

"If there is no substantial progress in implementation during the next two years, the member states should think seriously about scaling back EU programmes and spending the money better elsewhere."

I could not have put it better myself. It is absolutely scandalous that the EU continues to misuse 30 per cent. of British taxpayers' money, because of lack of focus, fraud and misuse, and because it is getting it horribly wrong.

I am afraid that any hon. Members who think that the EU aid programme is getting better after the recent reforms are sadly mistaken. There is no evidence to suggest that that is happening. Two recent reports published by the European Parliament, that much-loved institution, state that the EU aid programme reached rock bottom in 1999. I should like to cite page 12/14—there does not seem to be a page 13—of one of those reports, which is dated 23 March 2001. In parliamentary terms, the report is hot off the press; indeed, in European parliamentary terms, it is extremely hot off the press.

Mr. Edward Leigh (Gainsborough): My hon. Friend makes some effective points about the EU budget. When we take power on 7 June—I sincerely hope that we will do so—and he takes his richly deserved seat in the Secretary of State's chair, what can he do to start the process of withdrawing us from the scandalous waste of money that he describes, so that we can spend taxpayers' money to relieve third-world poverty?

Mr. Streeter: My hon. Friend makes a telling point. In a moment, I shall spell out yet again our policy on ensuring that the abuse comes to an end and that we can scale back and claw back to member states the ability to spend the money bilaterally. We all know that that would ensure better value for money.

I shall return to that point shortly, but I want first to read my quotation from the important European Parliament report to which I referred. Of course, we enjoy reading these wonderful reports. The committee that produced the report

"regrets that in 1999 only one of the top 10 recipients of EC overseas development assistance was a least developed country"—

only one in 10—

"and that the percentage of EC ODA going to low income and least developed countries fell below fifty per cent. for the first time ever".

It sees that as

"contradictory to the Community's commitment to poverty reduction re-emphasised in the Council's and the Commission's Policy Statement."

The EU's aid programme is getting worse, and 30 per cent. of British taxpayers' aid money is spent via that aid programme.

Mr. Bowen Wells (Hertford and Stortford): Is my hon. Friend aware that US$850 million of the European

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development budget is being spent on Serbia and Kosovo, the same amount that is allocated for the whole of Latin America and Asia, where about 80 per cent. of the poorest people live? Is not that as much a scandal as what my hon. Friend describes?

Mr. Streeter: My hon. Friend sums up the matter nicely, if grotesquely. It is a scandal which must come to an end. How much longer can we wait? The Conservative party is the only political party pressing for concrete action to bring the scandal to an end. The Government had an opportunity at the recent Nice summit to put the matter on the agenda and to start to build a portfolio of support for scaling back the EU aid programme and allowing member states to spend that money bilaterally.

Since I was the Conservative party's spokesman on Europe in 1997–98, I have become convinced that there is an appetite for such an approach. The Nice summit was an opportunity for the Government to put that issue on the agenda. I urged them several times to do so, but they failed to take that opportunity. As a result, the rather feeble agreement that has now been reached is to review the performance of the EU aid programme in 2006—five more years of waste and five more years of the poorest people in the world suffering in the way that we have described. The Government should have started work on that at the Nice summit and it is to be regretted that they did not.

Under the EU aid programme, 30 per cent. of our aid budget is without a poverty focus. Can the Minister honestly say that it is right that the Bill should have no reference to the fact that any money that we spend via multilateral organisations, whether the EU or the UN, should also have a poverty focus? That would place the Government under a legal obligation to ensure that every pound that is spent via the EU comes within the poverty focus and is properly spent, and would place them under a legal requirement not to sit back and allow the current situation to continue, but to sort the matter out. That is why that should be in the Bill.

Mr. Rowe: As one reason the EU budget is so badly spent is that the EU is quite open about the fact that it has political rather than development imperatives, if the Government are prepared to go along with that, would it not be appropriate for the money that is being spent on our behalf by the EU to come from the Foreign and Commonwealth Office's budget?

Mr. Streeter: That is an interesting suggestion, which I hope the Minister will take on board. It is wrong for development aid to be spent via the EU, either as a second tier of immigration policy for the southern European states, or as part of the wider Foreign Office or political diplomatic agenda.

New clause 2 and the amendments grouped with it contain two important points. We say that good governance should be the focus of the Bill and included in it, because without it the Bill will be less effective.

Secondly, the Bill should contain a legal obligation to ensure that any money spent by the British Government via the European Union or the United Nations is not be misused. I could have said much about the United Nations' effectiveness in spending our aid money, but I want to give other colleagues time to speak. The Government should be legally obliged by the measure not to sit back and allow such scandalous abuse and misuse to continue, but to build alliances, partnerships and support. I believe that they would be pushing against an open door, certainly with northern European and Scandinavian states, which are as fed up as we are. They should sort out the problem.

I hope that the Minister will take those substantive points into account. I believe that they have been fully argued and I am sure that my hon. Friends will speak in support of new clause 2. I hope that he will accept it and that we will not need to put it to the vote.

Mr. Wells: I want to make three points in support of my hon. Friend the Member for South-West Devon (Mr. Streeter) and the new clause and other amendments in the group. I shall speak about good governance and humanitarian aid. However, first, I want to consider whether the money allocated to international bodies such as the World Bank, the European Union, the development banks and other organisations such as the United Nations development programme and UNICEF could be subject to legal challenge under the Bill as currently drafted.

The Department for International Development spends more than 50 per cent. of its budget on multilateral institutions, which do not have a poverty focus as their only and single-minded purpose. The Bill enshrines that purpose. It is therefore clear that a citizen of this country or a non-governmental organisation could take the Department for International Development to court for allocating part of its budget to, for example, the European Union, which does not spend the money on poverty-focused purposes. That is a genuine danger. Those who drafted the Bill have recognised that, and I am sure that they will inform the Minister of the difficulty.

Clause 4 provides for the Secretary of State to support organisational funds that "wholly or partly" exist for the relevant purposes outlined in clause 1,

"if he is satisfied that to do so is likely to contribute to a reduction in poverty."

Clause 4 could be used as a defence in a court case against the Department for International Development on its use of international development money allocated by Parliament for relieving poverty. Is the Minister satisfied that the Department is adequately protected by the wording of clause 4? That is an important question if a lot of money and time is not to be wasted on court proceedings. I believe that the clause leaves the Department open to serious challenge in the courts. I should regret such a fruitless use of money and time, which could mean a reduction in the amount of money that the Department can spend on relieving abject poverty.

I want to reflect on what we mean by good governance. I presume that we do not mean the sort of time-wasting activity that we discussed when we considered the programme motion. I hope that we do not define good governance as imposing from above a Westminster-style parliamentary system on the people of other countries. However, good governance requires the maintenance of specific principles.

First, the Executive in any country should be accountable to the people through a representational body, however it is formed. I often argue that democracy is the traditional way in which African countries have ruled themselves. The previous Secretary-General of the

[Mr. Wells]

Commonwealth, His Excellency Emeka Anyaoku, often used to refer in speeches to the way in which his chief ruled his area in south-west Africa. There, a meeting of all the people is held, as in a platonic Greek state. The chief is chief by tradition, not necessarily by inheritance. He is the senior man, but he is expected to listen to, take advice from and find the majority opinion within the meeting. Then, together with his elders, some of whom in some African tribes are and have always been—in living memory—elected, he takes the final executive decisions.

A similar process has been described to many of us on visits to Swaziland, which is a monarchy. That procedure is changing, but it is keeping to the principle that the Executive have to be accountable to their people and rule by consent. In essence, that is what our Parliament tries to achieve. If countries achieve it by a different route, we should not oppose it, but welcome and support it in any way that we can.

1.45 pm

The next thing that is essential is that we have a reliable and objective judiciary. That is not an easy thing to achieve. Even in this country, we are questioning whether we are right to leave the appointment of judges entirely in the hands of the Lord Chancellor, in view of his conduct in recent times in trying to raise money for political purposes from those who might be appointed to judgeships. Even we are not certain that we have got the right mechanism for appointing people to enforce with impartiality the laws passed by Parliament and the Executive.

A reliable and objective judiciary is essential if domestic savings are to be re-invested in a country and even more if we are to achieve the objective set out in the eliminating world poverty White Paper and the globalisation White Paper, both issued by the DFID during this Parliament, of bringing in the private sector to be the engine of growth, employment and opportunity in some of the poorest countries. Without that capacity to rely on an impartial judiciary, which will make objective decisions, the accumulation of domestic and overseas investment will not occur, and the abjectly poor will remain abjectly poor.

A survey entitled "Voices of the People" asked ordinary people in third-world countries what concerned them most about their Government and corruption. Their first concern was corruption in the judiciary and their second was corruption in the police force, to whom they always have to pay fees for one thing or another—to pass a police barrier on the road or to get a licence to do something or other.

Good governance requires a first-class impartial judiciary, an impartial police force and an objective and impartial civil service, which is essential to good administration. Those elements have to exist if we are to bring about development. The concept of good governance has come to the fore in development thinking as a result of failures of the past. Without such a framework in developing countries, it is close to impossible to get development to take place. So it is right to include the question of good governance in the Bill as it is essential to realising its objective, which is of course to eliminate abject poverty throughout the world.

Another thing that worries me about the proposals is whether we should allow regional development banks to invest in humanitarian aid. If we passed the new clause, we would exclude the possibility of regional banks providing such aid.

As I said on Second Reading, humanitarian aid is a problem because it is being thoroughly abused, which is undermining the whole concept of it. Such aid depends on the impartiality of its delivery. It should go to both or all sides of a conflict or violent event: to those who have been killed, maimed or injured who are working for the Government and those who have been killed, maimed or injured who are protesting or conducting a violent campaign against the Government. The Red Cross is trusted to go in on both sides and to provide humanitarian aid to them.

That principle has been established since the mid-19th century. If we throw it away, it will be at great expense: there will be much human suffering in those violent situations. That is why I am concerned that we make certain that humanitarian aid is delivered impartially.

In the post-cold war era, the concept of humanitarianism has been deepened and broadened in principle and in practice.

Mr. Tom Clarke (Coatbridge and Chryston): I hope that the hon. Gentleman will not mind if I echo what a number of people have already said. We shall miss him very much and we admire greatly the tremendous work that he has done on international development.

On the specific point that the hon. Gentleman raises, does he agree that, whoever is responsible for delivering humanitarian aid, it is crucial that they continue to work increasingly with non-governmental organisations, so that the aid is seen to be delivered to the people who should be benefiting?

Mr. Wells: I agree. We must be careful that we work with NGOs that are properly managed, organised and capable of delivering the aid to both sides impartially. If one NGO, for whatever reason, has adopted a particular position on the conflict in which it is working, I suggest that it be thereby excluded from delivering such humanitarian aid so as to maintain the impartial nature of the aid. That is essential if we are to be able to help, for example, in the distribution of food—we all saw the starvation conditions produced by conflict in Ethiopia many years ago.

One of the difficult questions that we face is whether we are feeding the two armies in a conflict as a primary result of the distribution of food, so that the fighting can continue for longer. By all admission, much food aid distributed in those circumstances does support the belligerents. In those circumstances we need to train NGOs to deliver impartially—they are the people to do so—because we cannot employ Government people to distribute the aid if they are in conflict with a large part of the civil population. The NGOs therefore play a crucial role.

As I have said, humanitarian assistance in the post-cold war period has been extended because it has begun to be used as a method by which to influence internal disputes within countries. As we all know, since the fall of the Berlin wall, we have predominantly dealt with conflicts within countries, not between countries. Although the type

of conflict in which we were engaged in Kosovo and elsewhere in the Balkans is an example of that change, the examples of Sierra Leone and of Angola also stare us in the face. It is a very difficult issue.

I am worried that humanitarian assistance is increasingly associated with politico-military intervention by the west. The obvious example of that is NATO's appointment of a "humanitarian general"—a general in charge of humanitarian assistance provided by NATO. The Select Committee on International Development met the general, the first to be appointed, who was very efficient and had organised most of Albania with the consent of its Government. He was given control of the ports, airports and all the roads leading to the border with Kosovo, all of which he ran with exemplary efficiency and discipline. Nevertheless, he called himself a humanitarian NATO general.

Let us consider that role for a moment. He was a humanitarian general on behalf of one side of a conflict. Was he offering those services to the Serbs in Kosovo? Was he also prepared to run their ports, airports and military logistics to assist them? It does not make any sense at all, but that is what we have started to slip into by using the word "humanitarian" for such purposes.

The relationship between humanitarian and political action has become very complex, and an international consensus is lacking on the political character and legitimacy of humanitarian assistance. I believe that that situation will become more acute if we continue down the same road. I also believe that clause 3 places us in danger of allowing the operation of humanitarian assistance to slip further. As hon. Members will have noticed, clause 3 exempts the Government from a requirement to ensure that money spent on humanitarian assistance is used for poverty reduction programmes. It requires that the money be spent not on pro-poor policies, but simply on humanitarian aid.

In its reply to the sixth report of the International Development Committee, on conflict prevention and reconstruction, which was published in 1999, the Department for International Development defined humanitarian aid as

> "all measures in situations of conflicts, disasters and emergencies, which are intended to save lives, relieve suffering, hasten recovery, protect and rebuild livelihoods and community, and reduce vulnerability to future crises. This includes disaster relief, preparedness, prevention and mitigation, food aid and assistance to refugees and other displaced populations. It also includes essential measures to re-establish structures and systems to govern and administer services where these have broken down due to the crisis or disaster".

Currently, there is no statutory basis—the Bill does not provide one—for humanitarian assistance. The definition rests on an analysis of content and not on principle. Furthermore, it does not take into account the political distinction between relief and development assistance. I believe that we have to address ourselves to that issue and that, to protect itself, the Department also has to think about the issue.

I know that the Department does not wish to provide a definition because it is afraid that, if it does so, it will be taken to court in a judicial review. If the Government provided a definition, a decision to spend money on humanitarian assistance could be challenged in court. As we know, in court, definitions are manna for lawyers. I think that the risk of such legal action is a real danger. Conversely, leaving the definition as vague as it is in the Bill runs the equal danger of allowing humanitarian assistance to be used in a manner that is partial and that promotes conflict rather than the reverse.

2 pm

We must think about how we can achieve the objectives that we have set in regard to humanitarian assistance. I would define them as follows: to prevent and alleviate human suffering, to protect life and health, and to ensure respect for the human being. Arguably, that definition provides for the protection and re-establishment of livelihoods, not just the saving of lives. In other words, unlike development assistance or political intervention, humanitarian assistance is concerned with the preservation and dignity of individuals. It is based on their humanity, not on the development of particular political or economic systems or on political affiliation. That definition—probably refined—might fulfil the purposes that we all want to be maintained and sustained in respect of humanitarian assistance as defined in clause 3.

That is all that I wish to say at this stage, but I believe that there are important issues that should be reflected in the Bill.

Mrs. Maria Fyfe (Glasgow, Maryhill): I want to offer a few thoughts on good governance. In a few weeks, we are all likely to be touring the country telling the population that the other side is incapable of delivering good governance; yet here we are, discussing how other countries may deliver it.

I was relieved to note that Opposition Members are not talking nowadays of trying to impose a west-approved system on other countries, but I feel that the hon. Member for Hertford and Stortford (Mr. Wells) is expecting a great deal in some instances. While representative democracy and an independent judiciary are ideals that we hope can be aspired to by every country—the sooner the better—in many cases we seem to be a long way from achieving those aims. In far too many countries, for example, women—despite constituting half the population—do not have a say in how their countries are run, let alone play a part in Government or judiciary. If we are calling for good governance, we should ensure that women have an equal right to run their own countries.

What the Secretary of State has done over the past four years is crucial. She has developed literacy and numeracy programmes, and that alone is a key element. Literacy and numeracy present populations with the opportunity to challenge, as they enable them to think for themselves, to argue, to campaign and to get things done. My right hon. Friend's concentration over those four years, and in the Bill, on promoting education—especially women's education—is what is required. We must begin where people are, not where they are likely to be.

Mr. Leigh: I support new clause 2 and the amendments grouped with it.

Good governance is indeed crucial to the debate; we know that from our own experience. When this country suddenly leapt forward, it was because we started to pay High Court and other judges rates that ensured that they were incorruptible. From that moment we gave an enormous boost to good governance. The same applies to the civil service. Why did the country leap forward in

[Mr. Leigh]

the last century, in terms of good governance? Because corruption was cleared out of the civil service; civil servants were paid a decent salary, and were recruited through competitive examinations. The House should pay tribute to my hon. Friend the Member for South-West Devon (Mr. Streeter) for putting good governance on the agenda.

I want to concentrate on new clause 2, and its emphasis on a reduction of poverty. There is no doubt at all that EC assistance is too often influenced by political expediency rather than being concentrated on the reduction of poverty—I think that both sides of the House are convinced of that. As we have heard, that means that EU assistance, in the name of development aid, goes to relatively rich countries which are neighbours of the EU; such aid is thus unavailable for really poor countries.

I join the whole House in paying tribute to my hon. Friend the Member for Hertford and Stortford (Mr. Wells) for his chairmanship of the Select Committee on International Development and for the way in which he has developed the debate in a bipartisan spirit. He has contributed much to a greater understanding of the issues in the House and in the Conservative party. The Committee's ninth report is excellent; I very much hope that all Members will take a few moments to glance through it.

The report is fair. I do not want to be accused of EU bashing. I want to defend the EU—just for a moment—so that no one can say that we are trying to use new clause 2 merely to bash the EU. The report stated that the EU is perfectly entitled to take an interest in what is going on in Poland, in Bosnia or in Serbia. However, that is a political objective; it should not be part of the aid budget. As the report stated on page ix:

"EC external assistance policies are clearly determined more by political priorities than poverty alleviation. Pre-accession aid and the stability of the regions surrounding the EU are indeed important political objectives."

We all accept that. It is vital for all of us in this place that Poland, for instance, is ready to join the EU. However, we are in a ridiculous situation, as Chris Patten outlined in the report. He stated:

"A consequence of that is that today we spend twice as much in Poland preparing for accession as we spend in Latin America and Asia combined."

That cannot be right.

There must be a better way. We look forward to the comments of the Under-Secretary of State for International Development on this point. Can we not convince the Council of Ministers and our friends in the EU that we are entitled to pay our fair share in helping Serbia, Bosnia or Poland or other hot spots close to our borders, but that we need a ring-fenced budget? As the report states:

"All too often Category 4, initially envisaged as a source of finance for Community development programmes, is 'raided' by the Council of Ministers to fund political initiatives that they do not wish to fund bilaterally, amounting to what Clare Short described as 'political gestures'."

The Committee asks for

"a budget for expenditure in all developing countries dedicated to its principles".

I agree.

I do not seek here to make a party political point or any point directed against the EU. I fully accept that everyone has their own priorities. However, when we are faced with dire poverty in the world, and when both sides of the House face enormous difficulties in the political debate trying to convince hon. Friends that we should devote more resources to the world's poorest populations, even though that may result in fewer hospitals, schools and roads—all the things that our voters actually want—how can we go to our electorates and argue for that aid when we see such waste, or at least misdirection, of resources? People think that those resources are going to help the world's poorest people, but they are in fact being diverted for political objectives. I hope that the whole House can agree with new clause 2 on that point.

The picture gets worse, however. Whatever one's opinion of the EU, one has to be critical of the way that it spends its money. On 6 August 2000, the *Sunday Telegraph* reported that

"nearly two years after Hurricane Mitch devastated Central America, leaving almost 7,000 people dead, the EU has failed to deliver a penny of the £170-million package pledged to help survivors of the disaster."

The article accuses the European Commission of

"'gesture politics' because they have a history of announcing grand aid packages to the Third World without having a clue how the money should be spent on the ground."

The report says, at page xvi:

"The Committee has heard of a number of examples of delays and inefficiencies in disbursement. Population Concern gave the Committee two examples of such delays: the first was a delay of thirteen months"—

13 months!—

"in the disbursement of funds for four mini-projects in Bolivia and Peru; in the second instance—a Community-based Distribution Programme in Karachi—the funding situation became so dire that the Director of a local NGO in Pakistan took out a personal loan to pay staff salaries".

The picture persists; it is not good enough. After all, we are talking about public money. It may be public money disbursed by an international organisation, a multinational organisation; there may not be very great political pressure—in fact, there is virtually no political pressure—on the way these moneys are disbursed. There may not even be much public interest. However, as a result of the lack of control and lack of concern, some poor person who is trying to do a decent job to help some of the world's poorest people, in some little office in Pakistan, has to pay salaries out of her own pocket. That is simply not good enough.

Mr. Rowe: My hon. Friend is probably aware that one of the pressures under which the EU operates is that whenever there is evidence of malfeasance there is a huge outburst of scandal and horror, and then, instead of reviewing all its procedures and ensuring that there is one accountable person, the EU simply increases the number of signatures that have to appear on each authorisation. Far from improving accountability, that requirement hugely diminishes it, and colossally increases the time that such an authorisation takes to go through the system.

Mr. Leigh: My hon. Friend, who speaks with great knowledge on these subjects, makes a perfectly valid point. It is difficult to advise the EU on how to proceed, but I suppose that the problem boils down to a lack of

political oversight, of national interest and of national concern—the equivalent of Ministers being brought back to the House to be brought to account. As a result there are scandals and bad publicity, and as my hon. Friend says, it is then necessary to add another layer of bureaucracy because people involved in the process get worried about their career and the way they will be reported in the press.

The Commission, in a statement on development policy, has analysed the problems that it faces in implementing commitments. Fair enough. It listed them as

"a complex and fragmented aid system; policies guided by instruments rather than by policy objectives; substandard monitoring and evaluation procedures; burdensome ex-ante financial controls; lack of human resources."

Let us consider the point about lack of human resources. Is the reason why the EU is unable to devote itself adequately to relieving poverty in the third world the fact that it does not have the right number of staff? The Commission has argued that there is a shortfall of 1,300 staff, and that therefore it simply cannot deliver the programme in the way it should. It says that the shortfall has the obvious effect of leaving a few staff to deal with an enormously increased amount of money to spend and makes it obvious that the efficiency of the programmes will be damaged, and that it will be less likely that they will be followed up and corruption detected.

Is it true that the reason why the EU is performing so badly is that there is a shortfall of 1,300 staff? I suspect not. My viewpoint is shared by the International Development Secretary, who declared her opposition to giving the Commission any more money for staff and has promised to "fight to the death" to prevent it unless the Commission improves the quality of what it is doing already.

The International Development Secretary, to whom I pay tribute, is being absolutely robust in this. She is saying that the problem is not due to lack of staff at all. Fair enough. If we therefore are all agreed—I see Labour Members nodding—why is she willing to continue to use the European Commission to distribute aid despite its being, in her words,

"the worst development agency in the world",

and despite the fact that, in her words,

"the poor quality and reputation of its aid bring Europe into disrepute"?

I have never heard a Minister, whether Conservative or Labour, use such strong language to describe any EU institution. This is not someone who has a reputation as a Eurosceptic trying to score political points, but the International Development Secretary, who describes the Commission as

"the worst development agency in the world".

That is why the group of amendments before us is so apposite. It does not make sense for the International Development Secretary to continue to use and depend on the EU for aid distribution despite its being truly awful. Surely she and her junior Minister, who is here today, must agree with the Conservative new clause to propose that no aid be allowed to be distributed by a third party unless the Secretary of State is satisfied that it is likely to result in a reduction of poverty. That is all the new clause is about.

2.15 pm

If we place our hopes in the illusion of the EU's reforming itself and suddenly becoming, contrary to all the expectations of the International Development Secretary, an efficient organisation which works solely for the reduction of poverty in a holistic manner, I believe that we are fooling ourselves. The all-party International Development Committee, in producing the report, has been

"exasperated with the failure of the Commission to reform its development activity effectively."

That all-party Committee says that it would be foolishness to assume that the EU will now reform itself. The EU has far too many problems with its aid programme to reform itself effectively in the foreseeable future.

I believe that it would be better if the United Kingdom took the decision to spend this money itself, controlled by this Parliament, for the reduction in poverty in the world and to help the world's poorest people.

Dr. Jenny Tonge (Richmond Park): I rise to speak to amendment No. 6, but I hope that the House will allow me to make a few comments first on the other amendments and the new clause before us.

The hon. Member for South-West Devon (Mr. Streeter), as usual, said a great deal about good governance, and many people in the House would agree with what he says. It is indeed fundamental. It lies at the core of any development programme in an underdeveloped country. However, as the hon. Member for Hertford and Stortford (Mr. Wells) said, we must question what good governance is. It is sometimes extremely difficult to put a finger on what its ingredients are.

I was about to rise to ask the hon. Gentleman whether Uganda would be an example of good governance. I remember his having great doubts when we were out there, and yet Uganda seems to be doing quite well in development terms, and delivering the goods as far as the Department for International Development is concerned. If we intend to declare that people will get aid only to further good governance, and that that is at the very core of poverty alleviation, it is worth remembering that it is quite difficult to assess what good governance is.

The hon. Member for Hertford and Stortford mentioned the police and the judiciary. In doing so, he perfectly illustrated what I am always saying: that poverty can be alleviated only by addressing very many factors. One cannot give one factor a higher priority than another. How can one have a good police force, and above all a good judiciary, without education? Should not education therefore lie at the core of development? One cannot educate people or maintain good governance unless those people are relatively healthy and have a health care system—so should not health care be at the core? One cannot have good health without clean water, so should not clean water be at the very core? So is not clean water just as important as good governance? They all go together; it is thus absolutely right that the core powers are set out in the way that they are, and that they do not give one factor more importance than another. It is important that we go ahead on many fronts.

Certainly, it may sometimes feel, as the hon. Member for South-West Devon said, that this is a bit of a scatter-gun approach, but it has to be that way, because

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[Dr. Jenny Tonge]

these aspects will improve and the countries involved will improve only if all those factors are addressed at the same time. I cannot therefore support the amendments tabled by the Conservative party.

We all have sympathy with what has been said about the inefficiency of European Union aid. I shall not bore the House again with my story of reading reports from the Court of Auditors. They contain absolutely horrific stories of projects not started, not completed or not reported on, and of money not even wasted but simply not used—just sitting there, not delivering the aid that was intended. Sadly, EU aid gives the Conservative party another opportunity for a bit of Europe bashing, and I wish that the EU would put its house in order because it provides such a wonderful excuse to attack Europe and all things European.

I remind Conservative Members that if they had played a more wholehearted part in setting up all those institutions, and if they had been there enthusiastically insisting that the European aid budgets were managed properly, instead of washing their hands, like Pontius Pilate, of all things European, we would be in a much better state today and they could not criticise what goes on in our name.

Mr. Wells: As the hon. Lady will know, because she was a member of the Select Committee when we drafted the report to which my hon. Friend the Member for Gainsborough (Mr. Leigh) referred, we recommended not that we should withdraw money from the European aid programme, but that we should make that programme perform better. Does she agree that Mr. Chris Patten and Mr. Nielsen—the two Commissioners principally concerned with European aid—have introduced many new measures which will come into force this year and promise to make European aid much more efficient and to deliver pro-poor policies in the third world?

Dr. Tonge: Yes, I entirely agree with the hon. Gentleman, and I am hopeful that reform will take place. Conservative Members have quoted the Secretary of State on many occasions this afternoon. She is unhappy about the way things work, and she will ensure that we will not contribute more funds until they improve. I have a lot of faith in my constituent, Commissioner Patten—he is not all the Conservative party's; he is partly mine too. He and his colleague are sincerely trying to improve matters, but I repeat that it is very foolish of the Conservative Opposition continually to carp about the systems that they set up but now want nothing to do with.

I want to make one last point on European aid. It is rather strange that the Conservative party says that good governance and political considerations are of the very essence if we want to relieve poverty, and that good governance must be top of the aid agenda, since that is precisely what many European aid projects do. They are trying to deliver good governance, which will improve the countries where they operate and bring them into the first world and, eventually, the European Union. Conservative Members have been speaking on both sides of the argument.

Mr. Streeter: I am reluctant to interrupt the hon. Lady's speech, which I am greatly enjoying, and I am keen to deal with the other groups of amendments, but I must make two points. First, the EU may well be building good governance in certain places, but our argument is that it is doing so in the wrong places; it is not doing it in the poorest countries, which are those most desperate for a measure of good governance.

Secondly, is the hon. Lady aware of a recent report—again, produced by the European Parliament—in which the Parliament expresses massive pessimism about whether the European aid reforms which Commissioner Patten has just introduced will work, because they do not deal with the EU culture, which is so bureaucratic, ineffective and unfocused? Is not that the problem? We all want those reforms to work, but I am afraid that, living in the real world, we profoundly believe they will not.

Dr. Tonge: I thank the hon. Gentleman for that contribution. He reinforces what I say: much European aid is being used for the purposes that he suggests it should be used.

Mr. Streeter: But in the wrong places.

Dr. Tonge: Well, who is to say which are the wrong places, when talking about good governance? The Conservative party must sort out its argument; there is an element of confusion among some Opposition Members this afternoon.

I should like to deal with tied aid. In the White Paper on globalisation, we are told:

"The UK Government is totally committed to the multilateral untying of aid."

It also states that the Government will

"untie all UK development assistance from 1 April 2001."

The Government have already untied the knots and aid is now untied, so why have they not mentioned tied aid in the Bill? Would it not have been wonderful for all those of us who criticised the Pergau dam—the most famous example of all—to have seen the words "tied aid" in the Bill? That would have been a recognition, as the White Paper states, that the Government are legislating to stop the practice.

The White Paper states that more than a third of the total amount of aid to developing countries—about £13 billion—is given on the condition that it is tied to the purchase of products and services. According to the White Paper, tied aid

"reduces the value of that aid by about 25 per cent."

It states that "it is grossly inefficient" to supply developing countries with incompatible equipment from different development agencies.

Project objectives are skewed towards commercial considerations, and capital intensive projects are favoured more than smaller, more effective poverty-focused projects. Tied aid also

"encourages a donor driven approach to development. It signals that development agencies' major concern is not development, but their national contracts."

All that is stated in the White Paper.

Mr. Wells: I apologise for intervening on the hon. Lady and thank her for allowing me to do so. Does she not think that clause 1 would prohibit the retying of aid?

Apart from being poverty focused, the Bill's objective is, under clause 1, to exclude any possibility of reintroducing tied aid.

Dr. Tonge: I thank the hon. Gentleman for that intervention. I find it difficult to grapple with that concept. The Department and the Minister have been very kind; they have been patient with me, and they have spent a long time discussing clause 1 with me, but I am still not satisfied that it will stop the reintroduction of tied aid. I am told that it will do so, but I dispute that; it is not clear enough.

Clause 1 states:

"'development assistance' means assistance provided for the purpose of . . . furthering sustainable development in one or more countries outside the United Kingdom, or . . . improving the welfare of the population of one or more such countries."

It also states that

"'sustainable development' includes any development that is, in the opinion of the Secretary of State, prudent".

What is prudence in the mind of Secretaries of State?

We know that the current Secretary of State is a very prudent person and that, on the whole, we would trust her with international development, but what of future Secretaries of State? Pigs may fly, and someone in the Chamber may become a Secretary of State one day—I do not refer to the hon. Member for South-West Devon. Nevertheless, clause 1 is not clear, because nowhere does it say that it

"does not allow for any dilution of the developmental purpose to reflect commercial, political or other considerations."

That is what I am told that clause 1 is intended to say, which is why I suggest in amendment No. 6 that that phrase should be included. That is what the clause is supposed to say, so why not say it?

2.30 pm

Mr. Simon Thomas (Ceredigion): I shall address most of my remarks to amendment No. 5, which stands in my name and those of my colleagues. First, however, I shall comment briefly on the new clause and other amendments.

There is a great deal of virtue in new clause 2 and its purposes, which were set out by the hon. Member for South–West Devon (Mr. Streeter). There is an obvious failure in the European Union aid policy. The only question that we need answer is whether we should place on the Secretary of State a responsibility that should be fulfilled by the European Parliament and the Commission, which are accountable. There are difficulties with accountability which we need to address at a European level.

Mr. Ian Davidson (Glasgow, Pollok): Does the hon. Gentleman accept that over a long period the European Parliament and the Commission have shown themselves incapable of reforming the aid programme, and that in those circumstances, it is necessary for the House to consider taking action?

Mr. Thomas: I certainly agree that we need to consider taking action, and that is why I think new clause 2 worthy of consideration. However, whether we should put that responsibility on the Secretary of State is a matter of opinion. I agree with the hon. Gentleman that, so far, we have seen little action by the European Parliament. It has new powers in this regard and is supposedly able to call people to account on the budget, but we have yet to see that happen.

I am less clear about the issue of good governance. The hon. Member for Richmond Park (Dr. Tonge) put her finger on it when she said that good governance is a worthy aim of international development, but it is not the sole aim and it should not receive a higher priority than other aims such as education and health services and clean water.

Amendment No. 5 deals with sustainable development, which lies at the heart of the Bill's objectives. To be absolutely clear for the purposes of debate, sustainable development is not an objective like good governance or clean water; it is the whole framework within which we should deliver international aid policies. Agenda 21, agreed in the Rio declaration to which the previous Government wholeheartedly signed up, defines sustainable development as

"the progressive integration of the economic, social and issues in the pursuit of development that is economically efficient, socially equitable and responsible and environmentally sound".

That is a rather cumbersome definition, but it makes it clear that sustainable development is about more than delivering one aid package or achieving one type of improvement.

Some Members may feel that sustainable development is about the environment, and are asking why we should be discussing it in relation to a Bill on international development. They may think that we need first to get the economy going or to address social needs. It must be emphasised that sustainable development is about the environment, social needs and the economy coming together in a package that allows a country to develop in a way that will give its future generations the opportunity to thrive.

The Government have sought to define sustainable development in the Bill in that context. I welcome their attempt to do so, but I do not know who dreamt up the definition because it does not square with those used by the Government in other regards. Recently in his career, the Under-Secretary has used other definitions elsewhere in the Government. I tabled my amendment because the definition in the Bill does not cover all our needs.

As the hon. Member for Richmond Park has pointed out, the Bill says that sustainable development

"includes any development that is, in the opinion of the Secretary of State"—

I have no objection to its being the Secretary of State's opinion—

"prudent having regard to the likelihood of its generating lasting benefits for the population of the country or countries in relation to which it is provided."

I suppose that the definition is okay in itself, but I am not sure what it really means. It does not sufficiently tie the hands of future Secretaries of State as regards the introduction of tied aid, which has already been mentioned, or support for projects that do not meet what we think of as the criteria for sustainability.

Amendment No. 5 would introduce what is generally known as the Brundtland definition of sustainable development, which is now the most widely accepted

[Mr. Thomas]

international definition. I am not the one who says that; it is the Department of the Environment, Transport and the Regions. The DETR's development strategy, "A Better Quality of Life", asks:

"What is sustainable development? At its heart it is the simple idea of ensuring a better quality of life for everyone, now and for generations to come."

That is rather worthy, but it does not mean very much. However, the strategy goes on to say:

"A widely used international definition is 'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'."

I seek to amend the Bill to include that definition, which is accepted by the DETR.

Interestingly, the only other legislation passed by the House which has included a reference to sustainable development is the Government of Wales Act 1998, which placed on the National Assembly for Wales an obligation to introduce sustainable development. It did not include a definition, but in responding to the obligation, the Assembly has come up with one. Lo and behold, it says:

"A widely used international definition featured in the 1987 United Nations Brundtland report to the World Commission on Environment and Development, is: 'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'."

I have given two clear examples of how the Government have rightly sought to establish a definition of sustainable development: one, directly, through the DETR, and the second, indirectly, by placing an obligation on the National Assembly for Wales, which responded by using the Brundtland definition.

There is another recent definition of sustainable development, which is contained in the European Union's 6th environmental action programme, but out of sensitivity to what some hon. Members regard as gobbledegook emerging from Europe, I will not quote it. It is not as acceptable to me as it may be to other hon. Members.

It is important to get that definition right. We know from the debate that we are now having on climate change that the worst effects are being felt in sub-Saharan Africa and developing countries. We will experience the least effects here, and we can cope with storms, floods and extreme summer temperatures using our technology and our economy. However, our Kyoto obligations and the need to develop international development aid in light of those obligations mean that we need a much clearer view of what sustainable development is.

We should have a strong definition so that we can respond to any international feeling, such as that demonstrated by America, which may be expressed about Kyoto and global warming in the near future. Having the right definition is vital, and in providing development aid we must not transfer the burden of meeting our Kyoto targets to the developing countries themselves. First and foremost, they have to bring themselves up to a level at which they can cope with climate change. There are some worrying ideas concerning the clean development mechanism which means that we may place our burdens on those countries through development aid. I do not want that to happen, and a stronger definition of sustainable development may be a way to avoid it.

I concur with the general view that the Secretary of State will not misuse the existing definition in the Bill, but a future Secretary of State may negotiate within the Government or the World Trade Organisation or on the general agreement on tariffs and trade, about which concern was expressed on Second Reading. They will have to report back to the House about how they are fulfilling the obligations placed on them by the Bill. For that reason, we need a firmer definition of sustainable development. If the Under-Secretary is not prepared to accept my definition, will he explain what the definition in the Bill means?

How do the Government intend to report back to the House on how they are achieving their obligations and objectives under that definition? It has been suggested that we need an annual or bi-annual debate on the matter. As a member of the Environmental Audit Committee, which has in the past considered how Departments have set out and followed guidelines on sustainable development, using Green Ministers to do so, I ask how we will show that we are delivering sustainable development if we do not have the right definition. Are the sustainable development aims that the Government want achieved in this country those being achieved through our development aid in other countries?

Mr. Mullin: We have had a good debate about a large group of amendments, and I shall do my best to say something about all of them.

The amendments and the new clause tabled by the hon. Member for South-West Devon (Mr. Streeter) all seek to change the aim or purposes for which development assistance can be provided. The Bill sets out a simple aim for British development assistance. With the exception of assistance to the overseas territories and that provided in response to disasters and emergencies, assistance can be provided only if it is likely to contribute to a reduction in poverty.

New clause 2 provides that no UK development assistance could be disbursed through third parties unless the Secretary of State is satisfied that it is likely to contribute to a reduction in poverty. I am afraid that the new clause stems from a misreading of the Bill. Most of the assistance listed in it—in particular, assistance to agencies of the United Nations and to the European Development Fund—is provided for under clause 4(2), which allows a Secretary of State to support organisations and contribute to funds, and here I quote from that subsection,

"if he is satisfied that to do so is likely to contribute to a reduction in poverty."

That is exactly the same as the test proposed in the new clause.

The Opposition may have been confused by clause 8, which provides for a Secretary of State to enter into arrangements to provide development assistance with third parties. I can reassure the House that this clause, too, is subject to the powers set out in clauses 1 to 4. Assistance given via third parties must, to the same extent as assistance given directly by the Secretary of State, be likely to contribute to a reduction in poverty.

The new clause also refers to payments via multilateral development banks. I take this to be a reference to payments made under clause 11. I will cover that point when I reach amendment No. 4 shortly.

The hon. Member for South-West Devon and some of his colleagues got excited at the mention of the European Union. He is right to draw attention to the poor record of the EU's aid policy, but it might help to put his indignation in context if I say that, at the Edinburgh summit in 1992, a Tory Government signed up to the huge increase in aid to be channelled via the European Community.

Mr. Streeter: I have made this point before, but the Minister will know that it is only since 1997–98 that the true horror of the EU's aid programme has become apparent to us all. If he is right to say that all British Government aid—whether or not it goes through the EU—must reduce poverty, what will he and the Secretary of State do the day after the Bill becomes an Act? He surely cannot pretend that the EU's programme has a poverty focus.

Mr. Mullin: I am about to deal with that point. However, it is slightly odd that the horror, as the hon. Gentleman describes it, of the EU's development budget became apparent only after the change of Government in 1997. That makes one wonder what the previous Government were doing before then. However, I shall not make too much of that point, because we have had a good-natured debate and I acknowledge that there is a serious problem with the EU development budget and the way in which it is spent.

I think that the hon. Gentleman misunderstands one point, so I should clarify the scope of the Bill. Only expenditure on the European Development Fund is covered by the Overseas Development and Co-operation Act 1980 and will be covered by the Bill. Expenditure on all other European Community development programmes, such as Poland and Hungary Aid for Reconstruction of the Economy—PHARE—which provides financial and technical co-operation to central and eastern European countries, and the MEDA programme, which provides development assistance to 12 middle-income countries in the Mediterranean, are and will continue to be covered by the European Communities Act 1972.

2.45 pm

Over the past five years, programmes covered by the 1972 Act have accounted for more than 70 per cent. of DFID's expenditure in the European Community. Therefore, this Bill deals with the European Development Fund and the 30 per cent. of our contribution to the EC aid programme that is spent through the EDF. The fund provides development assistance to 77 African, Caribbean and Pacific countries and, with one exception, they are all developing countries. The EDF covers 39 of the world's 48 least-developed countries and the central objective of the Cotonou agreement, which governs the EDF, is poverty reduction.

In 1999–2000, DFID contributed £213 million to the EDF and the UK Government argued strongly and successfully that EDF allocations should reflect its poverty focus and 71 per cent. of country allocations now go to the least-developed countries, and a further 18 per cent. to other low-income countries.

We have taken advice and I can confirm that, given the EDF's clear focus on poverty reduction as set out in the Cotonou agreement, the Secretary of State will be able to continue to contribute to it under the Bill. I think that that addresses the point that the hon. Gentleman made a moment ago. The fact that the majority of EC development programmes fall outside the scope of the Bill does not mean that we do not engage with them to improve their efficiency, effectiveness and poverty focus. The scale and scope of the EC's development operations mean that it has the potential to play a major role in reducing poverty but, so far, it has not come close to fulfilling that potential.

Mr. Wells: We should reflect on the ties on the EU aid budget outside the EDF. It is compulsory that every country in the EU contributes and many of them have never spent any money on development at all. To abandon that source of money would lead to a serious reduction in the amount of aid available to poor countries.

Mr. Mullin: I agree with the hon. Gentleman that we should reflect on that point. He and other hon. Members are right to draw attention to it, but it is not relevant for the purposes of this Bill. Much of the discussion about aid to middle-income countries and the aid that has been misdirected is covered by the European Communities Act 1972 and it will not be affected by the Bill. That is the only point that I wish to make.

Mr. Rowe: I had not until this moment realised the point that the Minister has just made, and I am grateful to him for making it. However, does he not realise that the issue is extraordinarily confusing for the general public? As I understand it, the 0.3 per cent., or whatever it is, that we now spend includes the money covered by the 1972 Act. It is therefore caught up in the rhetoric about whether our money goes to the poorest countries. When ordinary people try to reassure themselves that we are a generous country, they will think that the whole of that 0.3 per cent. goes to the poorest countries, but that is clearly not so.

Mr. Mullin: I say again that hon. Members are right to draw attention to the problems with a large part—if not all—of the EU's development spending. However, many of those points are not relevant to the Bill and the new clause, because they deal with funds that will not be governed by the Bill. The money spent by the EC through the EDF is, by and large, spent in a better way and is more directly targeted at the poorest countries than some of the EC's other expenditure.

Mr. Davidson: Does my hon. Friend accept that EU aid generally is inefficient, slow, disorganised and unaccountable? If so, what action are he and the Government taking to ensure that the 30 per cent. which is covered by the Bill is spent more effectively? If that money is focused on the poorest countries but is not spent well, why should we give the EU aid budget more money?

Mr. Mullin: My point is that the 30 per cent. that is accounted for in the European Development Fund is the better-spent European aid. It is targeted at the poorest countries, which is what my hon. Friend wants. My right hon. Friend the Secretary of State has put us at the forefront of ensuring that all the EU's budget—not just the 30 per cent.—is spent more efficiently, and we shall continue to lead the way. The relatively new Danish European Commissioner is making a great effort to

[Mr. Mullin]

implement reforms. As he is dealing with a mighty task, we have to give him some leeway to make progress, and there are signs that that is happening.

Many other issues besides the European aspect of our development aid have been raised. Amendments Nos. 2, 3 and 4 attempt to insert a reference to good governance. They are all unnecessary and undesirable, and the Government will resist them.

Amendment No. 2, which relates to clause 1, proposes that good governance should be an aim of development assistance and independent of poverty reduction. I entirely accept that the quality of governance is critical for the eradication of poverty. If Governments are unrepresentative and ineffective, and where corruption is endemic, economic growth and sound development suffer. I do not disagree with anything that the hon. Member for South–West Devon and other hon. Members said about the importance of good governance.

Chapter 1 of our 2001 departmental report, published last month, details the policies and actions that we are pursuing to promote sustainable livelihoods. We are strengthening governance and encouraging economic growth, which benefits the poor and upholds human rights. Let me offer a few brief examples to demonstrate the range of activities and initiatives that we support. In Uganda, we are supporting changes in the banking laws to increase access by the poor to financial services. We are also supporting a five-year commercial justice reform programme that aims to create a sound legal environment in which both foreign and domestic businesses can feel confident, and thereby increase investment levels. In Croatia, the Ukraine, Uganda and Russia, we are working with the Clerk's Department to strengthen the parliamentary system. In Jonestown, Jamaica, we are working with the Government and the local community to reduce violent crime.

The Bill will not prevent the Secretary of State from supporting those interventions because they all contribute to the reduction of poverty, either through furthering sustainable development or through promoting the welfare of the people. So to make good governance an additional aim of development assistance is unnecessary and undesirable. The quality of governance is important, but, as the hon. Member for Richmond Park forcefully made clear, so are health, education, water, enterprise development, trade, investment and so on. All those aspects of development are interdependent. To mention one without the others would give a distorted perspective on development, which could weaken the Secretary of State's other powers.

We are clear in our understanding that support for good governance is possible within the powers set out in the Bill. If we elevate it to the level of a specific free-standing aim, then on the principle that nothing unnecessary is stated in legislation, every additional aim would cast doubt on the core power. If support for good governance is not, as we believe, implicit in action to reduce poverty, what does the core power cover? We are anxious not to dilute that power. That is our key consideration.

Amendment No. 3 provides that the activities authorised in clause 4(1) should be likely to promote the reduction of poverty or good governance. Concern was expressed in Committee that because it was not linked to that requirement, it created a loophole that would allow the Secretary of State to provide development assistance for any reason whatsoever. That concern is misplaced and stems from a misunderstanding of the Bill's structure.

As clause 4(1) makes clear, the Secretary of State may only exercise his or her powers

"with a view to preparing for or facilitating the exercise of his powers under section 1, 2 or 3".

It is wrong to suggest that there is no link between that power and the core power. It does not create a loophole and is entirely consistent with the Bill's poverty focus. The amendment is therefore defective.

Amendment No. 4 relates to clause 11, which provides for payments to multilateral development banks. It is a reworking of the provisions of the Overseas Development and Co-operation Act 1980 and supports payments by way of subscription and contribution to a number of multilateral financial institutions. The amendment would require that all such payments must be likely to contribute to the reduction of poverty or to promote good governance.

I need to make two points on that. First, those payments fall due because of international agreements entered into by various Governments, including the previous Administration. It would be a very serious matter if Parliament proposed that the Secretary of State be put in a position of having to renege on the United Kingdom's financial commitments. Secondly, any such payments are, in any event, subject to the prior approval of the House, as stated in subsection (5). It follows that if the House is unhappy with the making of a particular payment, it has the power to prevent it. In that respect, the amendment is unnecessary and an undesirable additional constraint.

A common thread runs through the amendments: they all attempt to add good governance to the aims or purposes of the Bill. Let me again make it clear that the Secretary of State will be able to support activities that promote good governance. The quality of governance is vital for the sustainable reduction of poverty. I can further reassure hon. Members that the Secretary of State will be able to continue to support all the activities—including those of good governance—that we are currently backing.

Amendment No. 5, tabled by the hon. Member for Ceredigion (Mr. Thomas), relates to clause 1 and deals with a different issue. It attempts to insert a particular interpretation of sustainable development which would impose an unreasonable constraint on the Secretary of State. The amendment interprets sustainable development as being something that

"meets the needs of the present without compromising the ability of future generations".

As the hon. Gentleman said, that is taken from the 1987 Brundtland report. We believe that the interpretation is excessively narrow and puts undue emphasis on environmental concerns. We are aiming for a balance between environmental, economic and social concerns. Let us take, for example, the extraction of minerals. If extraction is managed properly and the income generated is used for productive purposes, it can enable a country to lift itself and its people out of poverty; yet such extraction

would diminish the resources available for future generations. Would that compromise their ability to meet their own needs?

Mr. Simon Thomas *rose—*

Mr. Mullin: I hope that the hon. Gentleman is not going to intervene because I am up against the clock.

The Brundtland definition lies at the environmental end of the spectrum of views on sustainable development. At the other end, there are equally sound definitions that favour a fundamentally economic definition. Neither is necessarily nor wholly right. The Government believe that sustainable development must take account of environmental, economic and social considerations.

Finally, we debated the issues relating to amendment No 6, tabled by the hon. Member for Richmond Park, at length in Committee. If I do not get a chance to cover all the arguments in the two minutes that are left to me, a glance at the record will show the Government's case. The amendment relates to clause 1 and would ensure that a Secretary of State cannot take political, commercial or non-developmental considerations into account in exercising the core power. The hon. Lady knows that I have a great deal of sympathy for the intention behind the amendment. One of the Government's reasons for introducing the Bill is to ensure that development assistance can no longer be used for improper commercial or political ends. The amendment seeks to do just that. The question for the House is not whether or not we should use development funds for improper political or commercial ends such as tied aid; there is consensus that we should not do that. The question is how we can prevent such an abuse most securely and effectively. The Bill makes no explicit reference to outlawing improper—

It being Three o'clock, MADAM DEPUTY SPEAKER *put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

Question negatived.

Mr. Streeter: On a point of order, Madam Deputy Speaker. You will know that we have just spent about two hours debating one group of amendments to this important Bill and that there has been no filibustering, time wasting, distraction, deviation or unnecessary repetition. The Minister dealt properly with the amendments and the points made in argument and had to gabble to make his responses in time. In fact, he did not quite make it. There are now three groups of amendments that we shall not be able even to consider before Third Reading, for which an hour has been allocated. Is there any way that the programme motion can give us the flexibility now to continue to discuss those important amendments before we come to Third Reading? If not, is that not an indictment of the Government, who have been unacceptably heavy-handed in curtailing debate and the proper scrutiny of this important Bill?

Madam Deputy Speaker (Mrs. Sylvia Heal): I am bound by the order of the House agreed to earlier. I regret that there is no room for flexibility.

Mr. Leigh: Further to that point of order, Madam Deputy Speaker. The fact remains that there are three amendments on the vital matters of sector-wide development assistance, the involvement of non-governmental bodies and the renewal of the Bill. I know that you do not have the power to intervene but you listened to the whole debate and I am sure that you appreciate that there has been no time wasting. The Bill is not controversial or party political; no one is going to attack the Government from a party political viewpoint. If Government Members told you now that they would like to allow discussion of further amendments, would that be possible?

Madam Deputy Speaker: As I said earlier, I am bound to follow the order of the House. Consideration has been completed.

Mr. Wells: On a point of order, Madam Deputy Speaker. Is it not within your power to draw the attention of the business managers of the House to the dissatisfaction of the House with the time allocated to debating the Bill?

Madam Deputy Speaker: I must inform the hon. Gentleman that that is not a point of order, but a point for debate.

Mr. Streeter: On a point of order, Madam Deputy Speaker. If I were to move a motion that the House should consider the remaining three groups of amendments and the House divided on that issue, surely, as a sovereign House of Commons, we have the ability to decide to debate those issues for another 45 minutes?

Madam Deputy Speaker: I repeat once again to hon. Members that the House has already made a decision and I must abide by that decision and the order of the House.

Order for Third Reading read.

3.3 pm

Mr. Mullin: I beg to move That the Bill be now read the Third time.

The major reason for introducing the Bill is to ensure that development assistance can no longer be used for improper commercial or political ends. Under the Bill, there will be none of the ambiguity that allowed a previous Secretary of State to support the Pergau dam. There will be no basis for the re-establishment of the aid and trade provision or, indeed, any improper links between aid and trade. The Bill reflects and supports the United Kingdom's development effort. The Overseas Development and Co-operation Act 1980 allows the Secretary of State to provide assistance for the purposes of

"promoting the development or maintaining the economy of a country or territory outside the United Kingdom, or the welfare of its people".

Those purposes have not greatly constrained the Government's ability to refocus our country's development effort on the reduction of poverty, but we believe that it is not enough that legislation merely allows us to do most of the things that we need to do.

The Bill will ensure that we make the most effective contribution possible to the reduction of poverty. First, it requires that our development effort, with the exception of assistance to overseas territories and assistance given in response to man-made or natural disasters and emergencies, must be likely to contribute to the reduction of poverty through sustainable development or welfare

[Mr. Mullin]

improvement. Secondly, it provides a wider range of tools for achieving that aim. It provides for the use of a wider range of financial instruments than are available under the 1980 Act, including shares, options and guarantees. Those instruments will allow us to capitalise on the enormous potential contribution of the private sector to poverty reduction, with less risk of distorting markets, creating unfair competition or compromising companies' incentive to operate efficiently and sustainably, while retaining greater control and influence over the long-term use of Government funds.

The Bill will also place on a proper footing the Secretary of State's support for organisations undertaking development awareness and advocacy activities. The Government believe that if we are to succeed in meeting *international development targets, we need to build* greater awareness and understanding of development issues across the UK and internationally. Such support is currently possible only on the basis of the Appropriation Act 1999.

May I say a word about an issue that was not touched on in our debate a moment ago, but which was mentioned in Committee? I have considerable sympathy with Members who have spoken in favour of an annual debate on development in this House, as does my right hon. Friend the Secretary of State for International Development. I hope that the House can find the time to hold such debates in future, but it is inappropriate—as I am sure everyone will realise—to use legislation to determine the allocation of parliamentary time, as some amendments sought to do. Whether we have an annual development debate is a matter for the House authorities.

May I also return briefly to tied aid, since I was cut off in mid-flow a moment ago? As I said, we had a good debate on the issue in Committee, and the hon. Member for Richmond Park (Dr. Tonge) had a chance to make again on the Floor the powerful arguments that she made in Committee. I shall repeat our position: the clear statement of principles and purposes of development assistance will ensure that any improper use of development assistance is ruled out. As I have said, under the Bill, there will be none of the ambiguity that allowed a previous Secretary of State to support the Pergau dam and there will be no basis for the re-establishment of the aid and trade provision. That position may not be the most publicly attractive, but we have been advised that it is the most effective safeguard against the improper use of aid funds.

I appreciate that the hon. Lady will not agree with me, but I hope that she will at least accept that we took seriously her representations on the subject. We had a long meeting with officials who advised the Government on the matter and, although we may have not succeeded in convincing her, we have considered carefully the points that she and other hon. Members have made. The most effective means of achieving the goal sought by her—and us—is the Bill as worded. It is no failure not to mention tied aid in the Bill. There would be a failure if the Bill allowed aid to be used for improper political or commercial purposes. I can reassure the House that the Bill prevents such misuse, and that therefore we will not fail.

This is a short, straightforward and important Bill. I welcome cross-party support for its fundamental aim of focusing British development assistance on the reduction of poverty and it is a pleasure to commend it to the House.

3.9 pm

Mr. Streeter: We share with the Government a common objective: we find the abject poverty experienced by 1.3 billion people in the world utterly unacceptable. Most of us in this Chamber will have travelled and seen that with our own eyes and listened to people's stories. Such people have nothing—no proper job, no access to food, clean water, health care or education, and worst of all, often no hope.

It is morally inexcusable and offensive that we should see so much poverty in our world. Increasingly, in this globalised environment, it is a matter for us all. There is now no escape, no "head in the sand" attitude to be taken, no passing by on the other side. We cannot continue to live in an interdependent, multi-media, globalised environment without straining every sinew to do what we can to meet the needs of the world's poorest people. My conviction is that we can do a lot—by Government action, through charities and non-governmental organisations, at multilateral level and through individual effort. We can make a difference and therefore we should make a difference.

Today we are discussing what the British Government should do. This Bill sets out the framework for international development over the next few years, and in that respect we wish it well. Obviously, we do not oppose the measure. Its main provision is a poverty focus, and we support that. We have sought to improve the Bill and we shall continue to support measures to ensure that a focus on good governance is right up there in the Government's considerations.

I want to say a word about the Secretary of State. We have supported much of her effort over the past four years. This is probably our last debate before the general election—it is more or less our first in four years, so it is almost certainly our last—so I pay tribute to her work and to that of her Department over the Parliament. She has worked with great conviction and sincerity, and shines as a beacon in a Government among whom there are perhaps not enough conviction politicians. We support what she has done. Much of her work has been extremely effective.

As we have argued, policy on good governance should be reflected in the Bill. I heard what the Minister said; I hope that his assurances mean that his Department has embraced from the arguments that have come at him across the Chamber a fresh awareness of the importance of good governance not just as an optional extra but as the foundation and framework of ensuring that the living standards of the world's poorest people rise over time. Such a framework can attract direct foreign investment and allow the private sector to do its job in creating employment—allowing entrepreneurs to flourish and investment to be made. That is the only way in which living standards will rise over time for those in the poorest countries. He gave his response to our arguments, and we accept it, but we believe that good governance should be at the centre of British aid policy.

We have argued that the Bill should include a provision that money spent through multilateral organisations, whether the European Union, the United Nations or other

agencies, should be focused on poverty as is aid spent directly by the Government. We heard what the Minister said to that. For the first time, we heard his argument about the European Communities Act 1972 and what is covered by the Bill. That is because there was not enough time for that important clause to be considered in Committee. Is not that a stark illustration of the programme motion denying proper debate and scrutiny of legislation? We need not have spent so much time on the issue today, and could have spent more time discussing other issues that we did not reach, had we been able to hear the Minister's response in Committee.

It is important for our Government to be under a legal obligation to stop the scandal of EU aid policy. We all hope that the reforms introduced recently by Commissioner Patten will be effective, but we have little conviction that they will be. He is taking on the overwhelming bureaucratic culture of the EU, which does not deliver. Payments are not made and there is simply no focus. We hope that the reforms work, but believe and fear that they will not. Therefore, we regret that the Government did not take the opportunity at the Nice summit to put the matter on the agenda so that, instead of waiting another five years to review the workings of the reforms, there would already be a mechanism to ensure that more aid is spent bilaterally and more effectively, and that more people are helped.

We wanted a debate today on putting more resources at the disposal of NGOs and charities because we believe that they are a very effective vehicle for disbursing aid. Of the current Department for International Development budget, 8 per cent. is spent by British NGOs. That is fine, but it should be doubled. We have committed ourselves to doubling the amount over the next Parliament. Pound for pound, that £195 million—the 8 per cent.—provides the best value for Government money. It is a pity that the percentage is so small.

We have expressed concern at the increase of sector-wide funding, which results in lack of control and more scope for abuse, misuse and corruption. We have placed on record several times our deep regret that the Government have failed to introduce an anti-bribery Bill, even though they pledged last year to do so at the earliest opportunity.

We have made such points and argued for improvement of the Bill; our support is not tantamount to a blank cheque. None the less, we shall not oppose Third Reading. We regret the way in which the Bill was railroaded through the House; even by Third Reading, important new clauses and amendments have not been scrutinised. I ask the Government and their business managers how that can be right. We have approached our job as Opposition responsibly. Today, we have made arguments that the Minister has taken seriously, but still there has been no time to discuss the role of British charities in DFID's plans for the future or sector-wide funding. Can that possibly be right? I ask the Government to think again about the way in which they are pushing legislation through the House.

Mr. Davidson: I suggest to the hon. Gentleman that we would have had much more time to discuss all those important issues had we not been subjected to long, rambling, incoherent speeches from Conservative Members in Committee. We could easily have made much more progress had we not gone over points several times.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the hon. Member for South-West Devon (Mr. Streeter) responds to that intervention, I should point out that we have spent enough time on that aspect. May we debate giving the Bill a Third Reading?

Mr. Streeter: That is the complete answer to the hon. Gentleman's intervention.

We support the Bill, although it is not as perfect as it might have been. We accept that poverty deserves to be at the heart of the United Kingdom aid programme and that a focus on reducing it is therefore in its rightful place. We are prepared to work within the confines of the Bill.

In government, we will maintain the aid budget; march towards a figure of 0.7 per cent. of gross national product; focus on good governance; increase the proportion of aid spent via British aid NGOs and charities, doubling it over a Parliament; take steps to end the EU aid scandal to ensure that British taxpayers get value for money and the poorest people of the world receive the help that they so richly deserve; set up Aid Direct, a web-based advice service, which, with the help of the NGO community, will match needs to resources; and crack down on corruption and restore confidence in the British aid programme. We shall support the Government in effectively implementing the measures.

The Conservative party, in opposition or in government, will play its full part in eradicating the unacceptable reality of abject global poverty.

3.18 pm

Mrs. Fyfe: I thank you for calling me to speak in this debate, Mr. Deputy Speaker, because this is my last opportunity to speak on international development as I plan to leave the House at the general election. I assure my hon. Friends that I shall be brief. Many served in Committee and are anxious to speak.

I want to put on record the fact that I am very proud of the Government's record on international development and in tackling poverty. The fact that we have had two White Papers in four years, whereas there was not one over the previous 18 years, is a short, sharp point that will speak for itself during the election campaign. However, I want to take this opportunity to pose two questions to my right hon. and hon. Friends on the Front Bench.

The first question relates to the role of non-governmental organisations. I am sure that my hon. Friend the Minister will agree that some NGOs are more successful than others in focusing on helping people to help themselves, rather than simply doing good unto others. Some NGOs now wish to be involved in a campaigning role. How does he see the way forward for NGOs under the Bill and in the framework of the Department's future work?

Secondly, when we were discussing good governance earlier, I had in mind that sad country, Afghanistan, which is the opposite of an example of good governance. It is so hard to know what to do in such a case. The world's media have focused recently on the vandalism of the destruction of age-old statues, but insufficient attention

[Mrs. Fyfe]

has been paid to the barbaric cruelty perpetrated upon the local population, especially women. When NGOs have to pull out because they cannot allow their women workers to be put in danger there, it is a sad state of affairs. How do we drive matters forward in countries such as Afghanistan?

I conclude by saying that if anyone can do it, this team will. I look forward to watching the Department's success in future.

3.21 pm

Mr. Wells: I, too, welcome the Bill, which will sharpen the focus of the Department's work on the reduction of poverty. This is the first time that that has been set out in statutory form. The Secretary of State and her Department are to be congratulated on introducing the Bill and getting it on to the statute book this parliamentary Session. I know that there were difficulties in persuading our business managers to allow sufficient time for it to come before us. It is much to the credit of the Department that the Bill will reach the statute book, and I hope that it will have a swift passage through the other place, so that it can inform the Department's work in the next Parliament and for many Parliaments thereafter.

It is a great credit to the Secretary of State also that during this Parliament she produced two White Papers, whereas none had been produced for more than 20 years. The first White Paper set out the poverty focus, and the latest one dealt with globalisation. In terms of legislation and publications, the Department for International Development has been extremely active and well served by the Secretary of State throughout this Parliament. I congratulate her on her achievements and those of her Department.

There are one or two problems with the Bill, which I pointed out on Second Reading and about which I have been nagging away today. Let me elaborate on the definition of humanitarian aid which is missing from clause 3. That could get the Department into difficulties in the future if it is challenged legally through the judicial review process, which I hope it will not be.

A definition of humanitarian aid should contain various elements. Content is not a primary issue, as it was in the definition given to the Select Committee. The demands of working in diverse conflict situations mean that a single definition of assistance is neither feasible nor desirable. More important are the issues of context, objectives and principles.

As regards context, according to the existing Development Assistance Committee definition, an emergency is a situation where the capacity of Government or other authorities and the community is overwhelmed and the population is unable to meet its basic needs. In conflict situations, an emergency may be created by the magnitude or gravity of the humanitarian needs, or by the fact that the acts that have given rise to the needs are very recent. The situation then requires emergency tools.

The objective of humanitarian assistance should be to prevent and alleviate human suffering, to protect life and health, and to ensure respect for the human being. Arguably, such a definition provides for protecting and re-establishing livelihoods, not just saving life. In other words, unlike development assistance or political intervention, humanitarian assistance is concerned with the preservation and dignity of individuals on the basis of their humanity, not on the development of particular political or economic systems, or on the basis of political affiliation. Clause 3 rightly absolves the Secretary of State from adopting pro-poor policies in respect of humanitarian assistance.

The principle of impartiality, which follows from the argument that I have set out, is crucial to humanitarian aid. Humanitarian actors should not discriminate on the basis of nationality, race, religious beliefs, class or political opinions. Resource allocation should be guided solely by people's needs, with the most urgent cases of distress receiving priority, on whatever side those in distress are fighting.

The ability of humanitarian organisations to operate legally and safely in a conflict situation is determined by their ability to demonstrate their independent character. Actual and perceived involvement of a donor Government in the workings of international humanitarian organisations potentially compromise that independence.

A definition of humanitarian assistance would not provide a quick fix to the complex dilemmas facing humanitarian actors, including donors, but it would reaffirm in law existing policy commitments and provide a benchmark against which policy could be assessed. It would reiterate in UK law the existing DFID policy commitment to uphold international law. It would put in place a central plank in a rights-based approach to development, which I know the Secretary of State supports.

A definition of humanitarian aid would complement an ethical dimension to foreign policy, which I believe the Government still support, and it would cement the independence of the Department for International Development from the Foreign and Commonwealth Office. That is an important principle. As my hon. Friend the Member for South-West Devon (Mr. Streeter) stated, should the Conservative party be elected and he be the Secretary of State, the Conservative Government would maintain those as separate Departments. I welcome that.

A definition of humanitarian assistance would provide a statutory base for policy, in place of the soft policy of internal statements. Finally, it would conform to public expectations and understanding of the purpose of humanitarian aid. Those are forceful and important arguments for making sure that humanitarian aid is used for humanitarian purposes, and that we do not undermine the essence of humanitarian aid, which is given so effectively and generously, notably by the Red Cross and Red Crescent organisations, with Medecins sans Frontieres and others. To undermine that would be a serious mistake.

I shall not take up much more of the House's time on Third Reading, as I know that others want to speak. I congratulate the Department, the Secretary of State and the Minister on the departmental report 2001 which, for the first time, as a result of work between the International Development Committee and the Department, presents in readable form the policies being pursued by the Department. The report makes that available to a much wider audience than ever before.

I take the opportunity to tease the Department a little about a circumlocution in the introduction to the report. The Secretary of State refers proudly to a 13.8 per cent.

increase in real terms, about which I am delighted, and claims that the Department's budget is at its highest in real terms. She states:

"The International Development budget is now at the highest level ever in real terms, and the ratio of Official Development Assistance to Gross National Product is on course to rise from 0.26 per cent. in 1997 to 0.33 per cent. by 2003–2004."

However, the Secretary of State does not mention what the aid budget is as a percentage of gross national product this year. I am not good at mathematics and I probably have the wrong start figures, but I believe that it has risen from 0.26 per cent. in 1997 to 0.31 or 0.28 per cent.—I have been given both figures, but I am not certain which it is.

Mr. Mullin: It is 0.31 per cent.

Mr. Wells: Well, I offer many congratulations, but I should like to tease the Government a little.

That figure means that the aid programme has not reached the average that was achieved under 18 years of Conservative Government. *[Interruption.]* Hon. Members may laugh, but we achieved an average expenditure of 0.33 per cent. of gross national product. I know that many people find that difficult to believe, but it is the truth.

Mr. Tony Worthington (Clydebank and Milngavie): The hon. Gentleman's use of statistics is hilarious. He is saying that it took him 18 years to reduce the level significantly, after which we have taken four years to raise it to its current level. The previous Labour Government achieved a figure of 0.51 per cent., and it took the Conservatives 18 years to get down to 0.26 per cent. We have got it up to 0.31 per cent. in four years, and we will certainly reach a much higher level in future.

Mr. Wells: I wanted merely to bring to the House's attention a little-known figure: during the Conservative Government's years in office, an average of 0.33 per cent. of gross national product was spent on aid. I hope that we shall reach that level within the next year; indeed, I hope that we will exceed it. I know that that is the Government's policy, and I congratulate them on it. I wanted only to point out those figures.

Mr. Mullin: I know that the hon. Gentleman means extremely well, but he is being a little naughty. As he said, he is teasing us. Does he recall the figure when Labour last left office in 1979? I shall help him. It was approaching 0.5 per cent.

Mr. Wells: I remember that level, which was the highest that had been achieved by that time. Of course, the figure to which the Under-Secretary refers was not an average, but spending approached, if not matched, that level in 1979. I wanted to point out that the Conservative party is not completely neglectful of the needs of overseas development, and that we contributed to those needs an average of 0.33 per cent. of gross national product.

The worrying figure, which is not a tease, is the fall in private flows. I think that we will have to examine how we can improve that figure. Private flows form a major part of British assistance to developing countries, and always have done. In 1996, they accounted for £11.3 billion, but they fell to just £3.8 billion in 1999. That is a serious problem for us all. If we have the ambition to improve that figure, we must take measures to encourage private flows. After all, private investment is designated by the White Paper as the engine of development. The departmental report also contains private investment measures that will have to be considered.

Bribery and corruption are another major problem. I commend to the House the report on corruption that was produced by the Select Committee on International Development. As my hon. Friend the Member for South–West Devon said, there is a need for the Government to introduce legislation as quickly as possible to ensure compliance with the Organisation for Economic Co-operation and Development convention on bribery of public officials overseas. Indeed, we must also press on with trying to get the private and public sectors to adopt anti-corruption measures both in this country and overseas. Without those efforts, we will not achieve good governance either here or overseas, and we will not get the development that we would like to see as a result of our increased public sector investment in the third world.

3.34 pm

Mr. Worthington: I was sorry that I could not be present earlier, when hon. Members failed to reach amendment No. 1, which I tabled. I was involved in other development work on the Standing Committee that is considering the International Criminal Court Bill.

However, I want to use my amendment as an expression of concern about the way in which the House deals with development issues. The hon. Member for South–West Devon (Mr. Streeter) gave my point away. He spoke about having the first debate in four years at which the Secretary of State was present. I remember years when not even the Under-Secretary attended debates, as he was in another House. There were no debates on development. The Bill is the first such development measure in 20-odd years, and it is possible that no other Bill will be introduced for another 20 years, as international development does not lend itself to domestic legislation. There have been years in which not a single debate on development has occurred in the House, and there may be such years to come.

I believe that my hon. Friend the Under–Secretary said some kind words about my amendment. I am not convinced that it is perfect, but I hope that we will find some way of achieving an annual debate on development issues. To my mind, development is becoming increasingly important in the life of this country. It has gone up the agenda, partly because of the contributions of my right hon. Friend the Secretary of State and her team. The Opposition talk constantly about establishing an aid agency and giving aid. Indeed, that is all that they talk about. This Government have established a Department for International Development that is a different sort of creature. It is much more than an aid agency. Under my right hon. Friends the Secretary of State and the Chancellor of the Exchequer, the Department is concerned with the major issues facing the world today.

I should like to list some of those issues. They include the activities of the World Bank and the International Monetary Fund, and the aim of eliminating world poverty. They also include globalisation, corruption and HIV-AIDS. The Department is about the very

[Mr. Worthington]

sustainability of the planet. It is concerned with the relationship between north and south on trade issues such as the price of drugs. Indeed, it is concerned with every trade issue. Those and many other matters surface in the Department's work, but they are not discussed in the House. When we consider what goes on in the House, we must ask whether it is surprising that many people—especially the young—wonder whether we live in the same world as that which concerns them.

Many hon. Members will know of the success of Jubilee 2000 in tapping into that public concern about development issues. In particular, people are concerned about debt. It is in relation to that concern that the big meetings occur. I was once asked to stand in for my right hon. Friend the Secretary of State at a meeting. I went to St. Albans cathedral to be faced with a huge congregation. That is not my usual experience. Hundreds of people attended a meeting on that particular issue. That is what people are concerned about and it is where today's politics lies, but their anxiety is not reflected in this House. We do not talk about it. What does the House say about the incredible pandemic of HIV-AIDS? The International Development Committee produced an excellent report on that issue. It pointed out that three times as many lives are lost through AIDS each year as are lost through war or aggression. What does this place say as a forum for debate? It says nothing.

I tabled a modest amendment to try to ensure that we have at least an annual debate on development. There are precedents for that arrangement. There is a regular debate on Wales, and even the armed services regulations have to be approved annually, but development receives no such consideration. If there is another way of introducing such an arrangement, I hope that my hon. Friend the Under-Secretary will consider it. We must face up to the fact that the way in which the House deals with development issues—and, indeed, some other issues—is not satisfactory. We spend a lot of time on issues that are much less important than those with which the Department for International Development deals. We must address that problem, which is what my amendment sought to do. I hope that my hon. Friend will use his considerable influence to deal with the matter, as he has achieved much more in the past than overcoming opposition to such proposals. I have every confidence that when the Bill returns to this House, it will at least contain provision for an annual debate. My faith is placed in him.

3.39 pm

Dr. Tonge: I wish to add my comments to those of the hon. Member for South-West Devon (Mr. Streeter) about the Secretary of State who, sadly, has left her place. She has been an excellent Secretary of State, and we have all admired the work that she has done. She is sometimes terrifying, but always inspiring. She has led two Ministers and a Department, all of whom have worked equally hard, and I congratulate them all. The Bill is a suitable finale for their first term of office, and I thank them all for their work.

I welcome the reassurances that I have had from the Minister that there will be no more tied aid and no more aid for trade from the Government. He provided those reassurances many times, which is just what my amendment was intended to make him do, and I am delighted that he did it. My beady eyes will be on the Department to ensure that it sticks to those worthy ideals.

Those ideals will depend a great deal on co-ordination with other Government Departments, which is a theme to which I have returned many times during this Parliament. It is all very well DFID having great purposes and being determined to relieve poverty, but those ideals must be backed by the Foreign Office, the Department of Trade and Industry, the Ministry of Defence and No. 10 Downing street, and I hope that they will remember that.

I use as an example the fact that we still await a decision on export credit guarantees for the Ilisu dam. If those are granted to Balfour Beatty for that project, other Departments will be going against DFID's ideals, because we know that that project will create poverty and hardship, which, presumably, DFID will then have to alleviate. Therefore, co-ordination between Departments is important.

I have constantly asked for such co-ordination in the area of conflict prevention and arms control, which is another theme to which I have returned over and over again in this Parliament. On that point, I can end on a good note because the draft Bill on the control of arms has been published. I doubt whether I shall understand much of it without many people to help me out, but I shall take it home for Easter, and I thank the Government from the bottom of my heart for publishing it. We have waited for four years to see it and now at last it is here.

Lastly, I return to the theme of the hon. Member for Hertford and Stortford (Mr. Wells). The proportion of GNP that we spend on aid is interesting. Looking at a House of Commons paper on international development I saw, sadly, that in 1999, under this Government, that fell to 0.23 per cent. It is slowly rising and the intention is that it should continue to rise, and I am well aware that it is at the highest level in real terms for many years, but if we are to continue increasing the proportion of GNP that we spend on aid at the same rate as we are doing at the moment, it will take 50 years to achieve the 0.7 per cent. that is recommended by the United Nations, and I ask the Secretary of State and the Minister to reflect on that. I do not want to wait 50 years to equal some Scandinavian countries which are already spending 0.7 per cent. of their GNP.

It is essential that we do that. The relief of poverty is not only the right thing to do, but, for all the reasons that the hon. Member for Clydebank and Milngavie (Mr. Worthington) gave, it is in our interests and in the interests of our children and grandchildren that we take a firm stand on development and ensure that poverty is alleviated worldwide. I commend the Bill to the House.

3.44 pm

Mr. John McFall (Dumbarton): Like other hon. Members, I welcome the Bill for the simple reason that, as has been said, for 18 years nothing at all was done. It is at the centre of the Government's thinking. The international conference on the abolition of child poverty in February was attended by the Chancellor and the Secretary of State for Trade and Industry, as well as many international guests. The Chancellor's presence demonstrated that this is a serious issue, which is at the heart of Government, and that is a consequence of the Bill. I congratulate the Chancellor and the Secretary of State on that.

Much has been made of good government, particularly by the Opposition, but this is a humanitarian issue. There are instances where Governments are disengaged from the community and it is important that we put resources in on the ground. We should never forget that 30,000 children die needlessly every day for lack of access to clean water, proper sanitation and basic medicines. The humanitarian case overrides the consideration of good government.

The other big issue on which the Secretary of State and others should focus now is international trade. Trade barriers cost poorer countries £500 million a year, 14 times more than they receive in overseas aid. The next big battle for the Government will be to ensure that the trade barriers are reduced and that free trade is allowed for third-world countries.

The other important aspect is alternative development strategies. They are complex, but it is important not simply to take the word of third-world Governments and others that something is being done. If we are to ensure that anti-poverty strategies are at the heart of our approach, we need alternative development strategies, which render individuals, campesinos and peasants, the opportunity to forge a living. In the previous debate, drugs *from South America and elsewhere were mentioned*, but it is no use eliminating drugs if people are not given the encouragement of economic support.

Lastly, perhaps because of my background, I come to education, which is the best anti-poverty strategy that there is. We should not forget that 130 million children in the world, two thirds of whom are girls, do not attend primary school.

Mr. Wells: Will the hon. Gentleman reflect on the fact that the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) will shortly leave Parliament, and would he care to compliment her on the way in which she has continually brought to the attention of the House the necessity for education, health care and aid in the third world? She has done a wonderful job during her time in this Parliament.

Mr. McFall: The hon. Gentleman takes my breath away because that was my next point. My hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) has been in the House the same length of time as I have been and has been a good colleague to me and to others. She has pioneered many social justice issues, and, along with the hon. Member for Hertford and Stortford (Mr. Wells), and not forgetting the hon. Member for Faversham and Mid-Kent (Mr. Rowe), has considered international development and other third-world issues. I congratulate my hon. Friend. I am told that when she leaves the House she intends to take up politics seriously.

Mr. Worthington: Is my hon. Friend aware that, as well as all those admirable qualities of my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe), she was born on the same day and in the same year as Tina Turner?

Mr. McFall: That certainly takes my breath away. I am told that she does a good impersonation.

Mrs. Fyfe: Would my hon. Friend like me to sing a song?

Mr. McFall: I had better return to my peroration. I mentioned that 130 million children do not have the chance of an education, despite it being a fundamental human right, a social justice right and an economic right. We must ensure that those individuals play their full part in the world and that the consequences of the Bill are felt worldwide.

The Government have made great strides; other Members have mentioned the United Nations contribution target of 0.7 per cent. of gross national product. Let us work at it year after year so that we achieve it. All hon. Members, irrespective of party, will applaud that.

3.49 pm

Mr. Rowe: I welcome the Bill and I am sorry that there was no reason to include the importance of development education in it. I support the point that the hon. Member for Dumbarton (Mr. McFall) made about instructing everyone in the nation about the importance of the money that we give for international development.

I have suggested to the Minister privately that it would be worth while asking every individual in the nation to consider their expenditure and ask themselves what they can buy with 0.5 of 1 per cent. of their income and whether it is worth more than giving fresh water to someone who is dying for the lack of it, or creating an opportunity for someone in the developing world. I believe that most people's generosity would lead them to conclude that spending 0.5 of 1 per cent. of their income on the developing world was well worth it.

If we cannot appeal to people's sympathy and compassion, we should appeal to their self-interest. If we do not do that in our globalised environment, we shall be overwhelmed by difficulties that originate in the developing nations.

Cambodia is one of the poorest countries on earth. Forty-six per cent. of the population is under 15 and 2.5 per cent. is over 65. What on earth will the 46 per cent. do when, next year or the year after, they try to enter a labour market that does not exist? Such instability will rage around the world.

What will happen to the 23 million orphans in sub-Saharan Africa if they have nothing to do and nowhere to go? They will not be able to live. They, too, will constitute a huge element of instability. Initially, the developed world will be asked to try to help, but it will ultimately discover that it is being attacked. Similarly, the Victorians decided to construct drains for the whole population when they discovered that the rich would catch cholera if they did not. We should take account of such self-interest in our education programme.

I am delighted that the Department for International Development has published a document on disability. The disabled are always the poorest of the poor; they suffer the greatest disadvantages. Although the document is so general that it does not commit the Department to much, it is at least a beginning for an issue that needs to be taken seriously.

I urge the Department to work with those admirable non-governmental organisations that are beginning to consider their accountability. We should try to ensure that we bring into a net of serious accountability as many NGOs that work in development as possible. Many NGOs currently conduct their development work to their own agenda, which is not always to the benefit of people in the developing world. Such accountability is not

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good enough. I am delighted that Oxfam, the World Development Movement and others are working together to try to create a better system. I hope that Ministers will take it into account. We did not have the chance to discuss that when we considered the amendments.

I commend the Bill. I believe that the Department is doing a good job on the whole but that it could do better.

3.54 pm

Mr. Tom Clarke: I am delighted to follow the hon. Member for Faversham and Mid-Kent (Mr. Rowe) and to add to the tributes to him. He has applied himself wonderfully not only to international development, but, as he showed in his speech, to disability, care in the community and other caring issues. I like to believe that his period at the then Scottish Office stood him in good stead.

We do not have enough time to pay tribute to all the achievements of my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). For me, she is the personification of the Glasgow logo that shows an enormous, broad smile and carries the slogan, "Glasgow smiles better".

We are considering an excellent Bill from an outstanding Department. The mood of the debate and the atmosphere in the House today is much better than on Second Reading. Development education is therefore making progress, perhaps even on the Opposition Benches. I join my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) in calling for more debates in Government time. However, I say gently to the hon. Member for South-West Devon (Mr. Streeter) that when I held his job, I persuaded the shadow Cabinet to have a full day's debate in Opposition time.

I welcome the Government's confirmation of their essential strategy of poverty reduction and the fact that they are trying to tackle positively from a base of achievement problems that millions of people face throughout the world. Time does not allow me to deal with many figures, and I shall cite only one. When the Callaghan Government fell and Judith Hart was Minister for Overseas Development, our contribution to the United Nations aid figure was 0.52 per cent. In 1997, we inherited a figure of 0.26 per cent. from the previous Government. I look forward to the achievement of a 45 per cent. increase in real terms by 2004.

I welcome our strategy for health, education and HIV-AIDS. Many of us have witnessed severe problems such as the land mines in Angola, the terrible events in Rwanda, HIV-AIDS in Uganda and the compelling need to tackle debt cancellation and restructuring. The Government have done the latter, to their enormous credit. Whatever happens in the coming weeks, we can look the British people in the face. Their support for the Brandt report led to the biggest ever delegation and lobby to Parliament. They were right, and their priorities were right. The Bill means that we can face the rest of the world, especially the developing countries, which deserve the best. The Government and the excellent Department for International Development have made a great start.

3.58 pm

Mr. Leigh: In a couple of minutes, all hon. Members will support a Bill that states:

> "The Secretary of State may provide any person or body with development assistance if he is satisfied that the provision of the assistance is likely to contribute to a reduction in poverty."

That is clear, but there is no point in giving the Secretary of State the tools if we do not provide her with the means to do the job.

One must put facts on the record. In 1996, under the Conservative Government, the figures for aid were 0.2 per cent. of gross national product for official flows and 1.83 per cent. for total flows. In 1999, under a Labour Government, the figure fell to 0.23 per cent. of GNP for official flows and 0.69 per cent. for total flows. Even taking the Government's spending plans for the next two years into account, they will have given less aid as a percentage of GNP over the Parliament than any previous Conservative Government in more than 30 years. Yet in their manifesto, the Government pledged to increase international development aid to 0.7 per cent. of GNP.

Under the previous Conservative Government, aid spending as a proportion of GNP totalled an average of 0.3 per cent. per year. Under Labour, the figure for the past three years has been only 0.25 per cent. Even if we take account of Department for International Development forecasts for aid spending in the next two years, the figure is only 0.2 per cent. The years 1997 to 2000 show an average of 0.26 per cent. That is not good enough.

It is not good enough that the European Union accounts for a third of the Department's total spending. The Secretary of State described the EU as the worst aid agency in the world. We should we proud of the Bill, but ashamed of the Government's record.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Adjournment (Easter)

Motion made, and Question proposed,

That this House, at its rising today, do adjourn until Monday 23 April.—*[Mr. Pearson.]*

Mr. Deputy Speaker (Mr. Michael Lord): Before I call the first speaker, I remind the House that there is a 10-minute limit on Back-Bench speeches in this debate.

4 pm

Mr. Tom Cox (Tooting): I wish to raise the issue of Cyprus. As hon. Members know, Cyprus is often discussed in the House, and rightly so. I declare an interest at the outset. I chair the all-party Cyprus group, to which members of all the major political parties belong.

Britain is one of the guarantor powers for the island of Cyprus, along with Greece and Turkey. Following the invasion of Cyprus in 1974 by the Turkish military forces, Cyprus has remained a divided country. The south of the country is under the control of the democratically elected Government of the Republic of Cyprus; the north of the island, with the support of the Turkish army, has now become the supposedly independent state of northern Cyprus. I say "supposedly independent state" because, after many years, that state is recognised only by Turkey. It is not recognised by the United Nations, the European Union or the Council of Europe, and it is most certainly not recognised by the Government of the United Kingdom.

Since the events of 1974, many attempts have been made to find a solution that would safeguard the interests and security of both Greek and Turkish Cypriots. There are without doubt Turkish Cypriots who want a settlement. They see that, in the years since 1974, nothing has taken place that has led to any meaningful development in the economy or in the day-to-day lives of the people who live in northern Cyprus.

The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leicester, East (Mr. Vaz), visited Cyprus last month. He sent me a letter following that visit, in which he told me of the people whom he had met. What he did not say and what I have not seen in any official statement is what discussions he had with the leading politicians in the north and south of the island. That is one of the reasons why I have sought a debate in the House this afternoon.

Since 1974, repeated attempts have been made to find a settlement. Many organisations, countries and politicians have been involved in discussions. There have been many opportunities to obtain a settlement. The real issue for many hon. Members has been and still is Mr. Denktash, who has only one objective—recognition of the state that he has created in northern Cyprus.

Over the years, the United Nations has passed many major resolutions on Cyprus. All have clearly set out the type of settlement that the United Nations wishes to see in place to protect Greek and Turkish Cypriots, to rebuild the economy of the north, and to bring meaningful peace and prosperity to the whole of the island. After all the attempts that have been made, one has to ask why it has not been possible to reach a settlement. I suggest that one can sum up the reason in a few words: Mr. Denktash and his friends and supporters in Turkey are the reason why there has not been the progress that one would have liked.

One could give many examples of the promises and the actions of Mr. Denktash that have caused the despair that now prevails in Cyprus. My hon. Friend the Minister will be aware of the United Nations proximity talks. Many of us thought that they could be the breakthrough to meaningful discussions on the future of Cyprus. No one has done more in recent years than President Clerides of Cyprus to show a willingness to involve Turkish Cypriots in discussions and to show how those in northern Cyprus can be part of the discussion of the future of Cyprus—by which I mean all aspects of its future.

Cyprus has applied for membership of the European Union. President Clerides has repeatedly called on Mr. Denktash to join him in the talks on Cyprus' application, but Mr. Denktash has always refused to take part. I ask the Minister to outline the present position regarding the proximity talks. Are they still on? Do they still have any real meaning? What is the British Government's position on those talks?

I have already spoken of Turkey's role in northern Cyprus. The statements that Turkish politicians make on northern Cyprus and their visits to it are hardly the actions of politicians who believe that northern Cyprus has nothing whatever to do with Turkey and is solely the responsibility of Mr. Denktash. I do not think that anyone anywhere in the world believes that. I make those comments because everyone in the House knows that Turkey's great wish is to join the European Union. If it really wants that, does it have no role to play in ensuring that the proximity talks take place and real progress is made in them?

I have already talked of the so-called state of northern Cyprus and the views and demands of Mr. Denktash that his state be recognised before he will enter into any real discussion on the future of Cyprus. As he knows, because he has been told repeatedly, that recognition will not take place. There will be no recognition of the state that he created.

Cyprus is important to Britain because both countries are members of the Commonwealth. After almost 27 years of occupation and countless talks and discussions, what real progress has been made towards a meaningful settlement? One has only to read the statements and views of the United Nations on why there has been no development that could lead to a settlement. In a word, the reason is Mr. Denktash. He is the reason why there has been no progress. What is the United Kingdom's position on the proximity talks? I accept that we support them, but are we doing enough to ensure that they are on the road to meaningful discussions? What is the EU doing? What is the United States of America doing?

Richard Holbrooke, former US permanent representative at the United Nations under the Clinton Administration, said in a television interview on 1 March this year:

"The primary blockage at this point lies with the leadership in Northern Cyprus."

Could anything be clearer? Could there be a greater indictment by a senior world politician of Mr. Denktash than that statement?

I hope that my hon. Friend the Member for Sherwood (Mr. Tipping), the Parliamentary Secretary, Privy Council Office, will clearly convey to my right hon. Friend the Foreign Secretary the dismay of many Members of Parliament, and the need both for much greater effort to restart the talks and for Mr. Denktash, and especially

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Turkey, fully to understand the role that they must play in seeking meaningful progress for the benefit of both Greek and Turkish Cypriots.

4.9 pm

Sir Sydney Chapman (Chipping Barnet): I am grateful to be called in the Easter recess Adjournment debate. I wish to raise three issues of concern to my constituents and then to comment on foot and mouth disease.

The first issue relates to crime and police manpower in the borough of Barnet. We all know that, for decades, until the beginning of the 1990s, the number of recorded crimes soared. From about 1992, there was a gentle reduction—perhaps the adjective is not appropriate—in the Metropolitan police area until about two or three years ago, when there was suddenly a significant upswing of 8.7 per cent. in recorded crimes. That coincided—I am sure it was not coincidental—with quite a significant fall in the number of police.

The point to be made about police manpower in the Metropolitan area is that it is not only a question of putting in place policies and incentives to recruit people to the force. It is particularly necessary to try to keep them, because there is a well above average number of early retirements, retirements or transfers to other police forces.

Barnet was dealt with disproportionately badly for two or three years, although I recognise that that changed very recently. Five years or so ago, manpower stood at over 700 officers. The difficulty is that, since 1997—I think that it was in 1998 or 1999—that part of Hertsmere has, rightly, been removed from the Metropolitan area; the Metropolitan police area is now within the confines of the Greater London area. However, I cannot believe that 150 or so officers should have been transferred from my borough to Borehamwood. The total fell about 18 months ago to only 479 police officers, serving a borough with a population of 320,000. The minimum shift strength in the borough was 32, but only 22 were available. Even the Labour/Liberal Democrat council was moved to condemn the Government for not providing the resources and to express concern about the increase in crime.

We now know that there is to be an increase—we hope to get about 64 of the 1,050 extra police that have been promised for the Metropolitan police area. Who is providing the extra 1,050? Is it the Government, or is it Mayor Ken Livingstone? What I do know is that, in order to provide the extra 64 officers in Barnet, this year, the Greater London Authority precept on council tax payers has risen by no less than 22 per cent.

The second issue that I wish to raise concerns the NHS in the borough. I have never had so many complaints not only about waiting list times, but about waiting to get on waiting lists, postponed operations, and facilities in the local hospital. Despite the fact that phase 1A of Barnet general hospital's redevelopment was completed in April 1997—we are looking forward to the completion of phase 1B, hopefully in a year's time—the facilities in many respects still leave much to be desired. I hope that the Government will deal with that problem.

It is not just a question of increasing resources, which have certainly increased in the past four years, as they did in the previous 18 years. It is almost incredible that, in 1979, expenditure on the NHS throughout the United Kingdom was only £8 billion. It had risen to £42 billion 18 years later, in 1997, but to listen to the criticisms levelled at it before 1997, one would not have known that. I concede the point to Labour Members: they have increased the resources for the NHS, but there are still valid criticisms to be made, and shortages and unfairnesses to be tackled.

The third issue is the appalling state of the London underground. My constituency, unfortunately in this respect, nestles at the end of the Northern and Piccadilly lines. Again, I have never had so many complaints about the service before. I believe that my constituents are pragmatic people. They do not much care who runs the London underground or, indeed, other public services. What they want is a reliable and efficient service at a reasonable cost and to be able to travel in reasonable comfort. Since the Government came to power, despite their promises, not a penny's extra private investment—or any private investment—has gone into the London underground. I do not want to take sides between the Government on the one hand and Mayor Livingstone and Bob Kiley on the other, but I wish the Government would get their act together and get on with devising a structure that will lead to the necessary investment going into our tube system.

I finish with a comment on the dreadful foot and mouth disease. That issue is of concern in our towns, as it is in our countryside. We in Chipping Barnet, in the very north of London—we do not nestle in the Cotswolds—are perhaps well placed because we are where the metropolis meets the countryside. London Members in particular will know that there are thousands of acres of green belt within the Greater London area and that, on many of them, there are farms with livestock.

The point that is repeatedly driven home to me and to my constituents is that town and countryside are interdependent. That very interdependence strengthens the fabric and unity of our nation. I hope that the Government will respect and recognise that, as they seek to tackle this dreadful disease which is affecting an industry that was already suffering very badly.

4.17 pm

Mr. Bruce Grocott (Telford): I do not know any more than anyone else whether this will be the last recess Adjournment debate before the general election, but, to take as a working hypothesis that the summer recess Adjournment debate will come after the general election, it is not a bad time to do a little stocktake on the past four years. I want to begin by doing a stocktake in my constituency.

My desire to do so was triggered by my visit last Friday to a sure start scheme in Overdale in my constituency—a scheme with which I was obviously already familiar. We are talking not about words or about speeches: we are talking about real bricks and mortar on the ground, and the provision of real facilities. To see in Overdale a brand new family centre, to see people employed there in a brand new nursery, with things such as toy libraries, to see the home-visiting facility for families who need the support, to have met the 100th mother who had, if you like, voted with her feet to join the scheme—none of these things is compulsory; people will benefit from them only if they want to do so—was a source of great pride to me: pride in both the Government and the Labour-controlled local authority.

I was particularly proud because that scheme is not a one-off, out-of-the-blue scheme. It is consistent with a timeless principle: we should try to give all our children an equal chance. Although I am particularly proud of that achievement, there are many others. I should like to mention a couple of them.

Three or four weeks ago, at the Princess Royal hospital, we opened a brand new maternity unit. That national health service unit can bear comparison with maternity units anywhere else in the public sector or in the private sector in the United Kingdom and probably anywhere abroad. It has terrific facilities, including proper facilities for visiting children. Any Government, and certainly any constituency Member of Parliament, would be proud of that unit. There has also been a £650,000 refurbishment of the Princess Royal hospital's accident and emergency unit.

Those are real facilities and real achievements, not just politicians' words. Those improvements have been made not because someone in a focus group thought that they would be a good idea, but because they are consistent with the Labour party's timeless principle that health care should be available free at the point of need and on the basis of need, not the ability to pay.

I could cite many other examples of what has been achieved in the past four years in Telford. There has, for example, been a 73 per cent. reduction in youth unemployment in Telford. Unlike four years ago—bar one or two schools which have specific, local and good reasons why the objective could not be achieved—almost all infant classes now have fewer than 30 pupils. That is a great source of pride.

At the other end of the age spectrum, 9,500 pensioners in Telford are benefiting from the winter fuel payment, and 3,800 pensioners are benefiting from the free television licence. Those are both sources of pride. However, in terms of long-held views, perhaps the most important statistic of all—I do not have constituency figures, but I have figures for the west midlands—is the fact that an estimated 150,000 low-paid workers in the region will benefit from the proposed minimum wage increase.

Those are all real achievements. As the general election approaches, however, I have been puzzled by our opponents' reaction to them. Those achievements—in the health service, child care facilities and reduced unemployment—are not affecting only my constituency. They are not a unique moonbeam shining only on Telford but are affecting every constituency in Britain. What do our opponents say about those national developments? Do they say that they are opposed to them morally and on principle? I very much doubt that they could say that.

Presumably our opponents' only other line of defence to our achievements is to say, "All that would have happened anyway. They are part of an inexorable law of nature." However, they cannot say that either. I remind Conservative Members that they passionately opposed the national minimum wage on grounds of principle and thought that it was fundamentally wrong. They even presented what they thought was a coherent and principled argument against it. However, the national minimum wage was not achieved by accident.

Conservative Members reacted in precisely the same manner to the new deal and to decreasing youth unemployment. I leave it to them to decide, when the general election comes, on their own strategy for explaining those improvements in their own constituencies—*[Interruption.]*

Perhaps the hon. Member for West Chelmsford (Mr. Burns) does not want to talk about the improvements in his constituency, and I do not blame him for that. However, Labour Members' strategy is to say that those improvements have not simply happened—as some of our opponents like to say when they have nothing better to say—because of opinion polls or focus groups. The fundamental improvements in our health service are the result of the timeless principles on which the Labour party was founded and are building on the greatest achievement of any peacetime Government in the past century—the establishment of the national health service, in 1948, in the teeth of opposition from the Tories.

In the previous Parliament, in 1998, it was a matter of enormous pride to go to Lichfield cathedral to celebrate the 50th anniversary of that great achievement by a Labour Government—the establishment of the national health service. I do not know how many cathedrals have celebrated the 50th anniversary of a Tory Government's achievement, but so far I have not been invited to such an event. Nye Bevan would have been proud of the current modernisation of the national health service.

The national minimum wage also was not the consequence of the remarks of a focus group or the results of an opinion poll but was consistent with the timeless principles of the Labour party. I make no apology for mentioning that a national minimum wage was advocated by Keir Hardie. Indeed, last year was the centenary of the establishment of the Labour party. Who among the 129 delegates who were present—with no money and no resources—at the founding meeting of the Labour party, on 27 February 1900, would have believed that, in 24 years, Labour would be in government and that, at the turn of the century, it would form a Government with a majority that was greater than the total number of founding delegates?

As we set the ground rules and prepare the territory for the general election, I fervently hope that we compare not only Labour's record after four years in office with that of the previous Tory Government after their 18 years in office, but the values that inspire the two parties, how well they have stood the test of time and how well they have served their constituents. If the judgment is made on that basis, I have no doubt whatever about the outcome.

4.27 pm

Mr. Patrick Nicholls (Teignbridge): The unfolding tragedy of the foot and mouth crisis clarifies a number of issues. The first is that it is abundantly clear that Ministers cannot be blamed for the outbreak of foot and mouth. In due course, if the Minister for the Environment is right, there will be a public inquiry into the outbreak. Indeed there should be a public inquiry; after such an event, we have to discover the lessons that can be learned. It is tempting to say—although I shall try to keep my remarks fairly narrow—that if Ministers had considered earlier the experience of the 1967 outbreak, they might have been able to avoid some of the mistakes that they have made.

I would be the first to say that I do not envy Ministers waking up one fine morning to discover that the foot and mouth crisis was breaking across the country. Those of us who have been in government, and those of my

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hon. Friends who aspire to it, realise that that was an appalling thing for Ministers to have to confront. I say that to set the scene. It would be quite unfair to use the foot and mouth outbreak to attack the Government. There are, after all, many other good reasons for attacking the Government.

In any crisis, however, Ministers have to remain accountable and be prepared to come to the House to answer the questions put to them. When an urgent situation arises in a constituency, Ministers have to be prepared to respond to it instantly. Ministers in this Government, like those in the previous Government, have been prepared to respond to hon. Members who write to them genuinely saying that they have a desperately urgent constituency matter that requires an urgent ministerial response.

The trouble is that that has not always happened in this crisis. One has had to go to the most extraordinary lengths to persuade Ministers to perform their basic function, which is to be accountable to the House and to answer legitimate questions put to them by hon. Members. Thus it was that, on 30 March, I discovered that a landfill site in my constituency would receive carcases from an infected area. One might have thought that I discovered that fact from a letter from a Minister, a telephone call from an official or from the National Farmers Union, but that is not how I learned of it. I discovered the fact from a media contact who said, "You are the local MP. You will obviously be able to tell us why the Government have decided to move carcases from an infected area into that uninfected area."

As that happened 10 days ago, before my innocence had not been entirely destroyed, I decided to try to contact the Ministry of Agriculture, Fisheries and Food. However, that did not work. Instead, I spoke to the media, the Environment Agency and to similar organisations. Eventually, during the course of the day, I began to piece together what might be happening.

I did not feel that the fact that I had been prepared to start making telephone calls, and to try to put together a picture of what was happening, constituted a sufficient response: I needed to tell my constituents what was going on. By the end of the day I had sent a letter to the Minister of Agriculture, telling him what I understood from my inquiries to be the position. What I understood was that carcases would be brought in from an infected area, but that they would be carcases that had resulted from the cull welfare scheme—in other words, carcases that were not infected.

Even that was bad enough, however. It would still mean that traffic was being promoted between an infected and an uninfected area. Although the carcases themselves had resulted from the welfare scheme, the situation was unacceptable. I made that point in an e-mail that I sent to the Minister of Agriculture on the same day, but I heard nothing. I heard nothing on the Saturday, or on the Sunday. On the Monday, I had still heard nothing.

I told the Ministry that if I had not received a response by Question Time on Monday, I would have to raise the matter on the Floor of the House. I think the record will show that, of the devices I am prepared to use in the House, the arguably bogus point of order is not one; but it must be said that on the Monday, the Tuesday and the Wednesday I had to make three points of order which I might describe as being of arguable validity, and which those who are less charitable might term thoroughly bogus. They consisted of my asking the occupants of the Chair whether they had had any indication that the Minister of Agriculture wanted to come to the House and confirm what was going on.

Finally, on the Wednesday, I received a letter from the Minister of State that purported to answer my points. I think that the letter was sent only because I was continuing to raise points of order. The letter—from which I will quote one paragraph—is chilling.

It is difficult for me—an aficionado of "Yes Minister", and one who has done some of this sort of stuff in the distant past—to decide whether to admire the subtlety of refusing to give the precise assurances that were requested, or to condemn the sheer brazenness of the assumption that anyone could be fooled for a moment. Following my request that I should be told whether it was true that the carcases would simply be those resulting from the cull welfare scheme, I was treated to this reply. I shall emphasise certain words, because the emphasis that they should receive would not otherwise be apparent.

The Minister of State told me:

"The use of landfill is principally for the disposal of sheep and pigs from the livestock welfare disposal scheme of which there are over 1 million animals in the pipeline. Pigs and sheep from neighbouring farms where animals may have been exposed to the virus but not showing visible signs of disease may also be deposited. We are making the very best endeavours to ensure that as far as possible stock from protection zones go to landfill in protection zones. But we cannot guarantee in this extremely serious situation that this will always happen. Also with the recent SEAC decision, where landfill operators are content we will also bury disease free or at risk cattle less than five years of age."

That lack of assurance was completely at variance with everything that I had been able to discover locally. It also meant that when I attended a meeting convened specially by Teignbridge district council at the weekend—because the council wanted to find out what was happening—far from my being able to provide reassurance, I was unable to do anything of the kind.

As a result of that meeting, I sent a detailed message to the Minister of State pointing out that the assurances given flatly contradicted some of what MAFF officials were saying locally—not in letters to me, as the Member of Parliament, but in a circular letter to the chief executives of the various local authorities. I had never heard of a protection zone, and neither had the National Farmers Union.

Let me give an example. MAFF officials have said certain things in correspondence; meanwhile, we are told:

"The objective of the authorities responsible for the disposal arrangements is to ensure that all carcases are transported for disposal (a) within infected areas or (b) within non infected areas, but not from one area to another."

Again, what was implied by MAFF officials and what was said by the Minister were completely at variance.

By that stage, my confidence that I would receive a response from Ministers had disappeared. In a detailed letter that I sent to the Minister of State after the meeting on Friday, I wrote that I saw only one remaining opportunity to find out from Ministers what was going on. I told the Minister that she must ask a number of specific questions, and added that if she did not ask them I would raise them on the Adjournment.

The Parliamentary Secretary, Privy Council Office is present. On such an occasion, his right hon. Friend the Leader of the House would normally say, "That is extremely interesting. It has nothing to do with me, but it is super to see you. I will refer your comments." It is a time-honoured formula, as is perfectly understandable.

I made it clear to the Minister of State that I was going to send a copy of my letter to the Leader of the House, containing specific questions, and that I would expect those questions to be answered today. I said, possibly more in hope than in expectation, that she might be more successful in getting replies out of her right hon. Friend than I had been.

These are the questions that I want the Parliamentary Secretary to answer today, as he is present. I want to know whether the order allowing the burial of cattle at Fosterville will be rescinded forthwith. I want to know whether the site at Deep Moor will be used for any subsequent disposals that would otherwise have been destined for Fosterville. I want the Parliamentary Secretary to make it clear that if a Fosterville site continues to be used—I strongly disapprove of that in any event—it should be used only for sheep and pigs in the livestock welfare disposal scheme, and that those animals should not have been exposed to any possibility of coming into contact with the virus. Finally, I want an assurance that in no circumstances will cattle be deposited at Fosterville.

Those are questions of which the Parliamentary Secretary, through his colleague, has had specific notice, and I think that they need to be answered today. It is bizarre that we should have to expect a Minister with no departmental responsibility to measure up to what should be expected of Her Majesty's Government; but if we do not receive answers to those questions today, the people of the west country will form their own impression of what this Government are really all about.

4.36 pm

Mrs. Alice Mahon (Halifax): I want to raise an important matter involving what I believe was a serious miscarriage of justice affecting two of my constituents, Gareth Perrett and Richard Perrett. Both are former policemen. Gareth Perrett was an inspector in Halifax with 29 years' service; his son Richard served in the Odsal division in Bradford for several years. Both had unblemished records.

As MP for Halifax, for many years I have worked closely with Inspector Gareth Perrett. I know him well, and have always found him to be an excellent police officer, completely on top of his brief and well liked and respected in the community.

On 7 February 1998, an alleged incident occurred on a flight from Orlando to Manchester. The two Perretts and a friend were reported by two passengers for disorder: they claimed that the men had had too much to drink, and were noisy. On arrival at Manchester, the three men were met by the police. They were told that a complaint had been made. They were not arrested, and they were not told what the complaint had been; they were allowed to collect their car and drive home to Halifax.

As a senior officer, Gareth Perrett felt that there had been a misinterpretation, or a misunderstanding, of the men's behaviour. He sent a letter to the senior officer at Manchester airport. He thought that he should at least have been provided with a list of passengers, which would have enabled him to obtain evidence that neither he nor the other two men had done anything wrong. The Manchester police disregarded the letter, and the Crown Prosecution Service did not follow up its suggestions.

At that stage, both Inspector Perrett and his son still had no idea what the complaint against them was. Only when they read a report in the local press did they find that they had been accused of upsetting two passengers. Three months after the incident, a summons was served. The men were accused of being drunk on an aircraft, and using abusive or insulting words in the hearing or sight of a person which might cause harassment, alarm or distress.

On 12 June, my constituents pleaded not guilty to both charges. The second charge was withdrawn, which left them with the charge of being drunk on an aircraft. They have always denied that. The police produced no video evidence, and after they had met them from the plane they had allowed them to drive home. That is difficult to understand.

Gareth Perrett, or Richard, sought evidence from other passengers, but were met by a wall of opposition from Britannia Airways. The investigating police force was not helpful either. My constituents therefore set about finding passengers, and managed to locate a family who had been sitting close to them on the aircraft. That family are completely teetotal—as they made a point of saying in court; they gave evidence that the three men were

"only a bit merry and not causing the problems suggested."

The family were the main witnesses and the case collapsed. The two men were declared not guilty and left the court without a stain on their character, although the judge did remark that there might have been some juvenile behaviour.

The two men returned to work. However, their problems were far from over; three months later, they were told to appear at a disciplinary hearing before the new chief constable, who—ignoring both the verdict of the court and the testimony of witnesses who had spoken in their favour—asked both men to resign. Later, at an appeal, a tribunal upheld the chief constable's decision but took note only of his conclusions; the independent evidence was not even discussed.

I took up the case with the Home Office for three main reasons. I am not convinced that the case of the Perretts was fairly investigated either by the Greater Manchester police or the West Yorkshire police. I do not believe that a court's not guilty verdict should have been overturned by a chief constable who had taken more notice of exaggerated press reports. I do not believe that two excellent police officers should have lost their jobs; they are lost to the service, at a period when we are desperately short of good, experienced officers.

The Home Secretary has turned down their appeal; he says that he took into account the response of the chief constable and the recommendations of the tribunal. I am very disappointed that he has done so. I am the last person in the world to condone disruptive or drunken behaviour on an aircraft, but after going into the case in great detail—listening to the local community and reading the proceedings thoroughly—I feel that an injustice has been perpetrated.

Like the court, I do not believe that a serious offence took place. I do not believe that people should be tried twice. I want the Home Office to take another look at

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the case. Recently, a senior reinstated police officer pleaded guilty to far more serious offences; we should remember that the Perretts were proved not guilty.

The emotional cost to the family has been tremendous. They are a local family who are well known and well respected. The two men have been under great stress; they have lost income and have experienced personal hurt. I did not feel that the House should adjourn without me drawing attention to this case—I shall certainly pursue it.

4.43 pm

Mr. James Wallace (Orkney and Shetland): Although politics can be an unpredictable science, I suspect that this may be my last speech in the Chamber—although I continue to have the privilege of representing Orkney in the Scottish Parliament. There have been several highlights during my 18 years as a Member of Parliament, but the fact that I was a Member of the Parliament that delivered a Scottish Parliament—for which my party had campaigned for more than a century—and that I had the opportunity to play a part in that process brings me considerable pleasure.

One consequence of the Scottish Parliament and of legislation passed in this place is that the Orkney and Shetland constituency has been split in two, so when the general election is called I shall cease to have a representative link with Shetland. That is why I want to focus on an important issue in Shetland—one of the major incidents that occurred during my time as a Member of Parliament.

On 5 January 1993, the oil tanker Braer went aground at Garths Ness on the southern tip of Shetland, spilling its cargo of 84,000 tonnes of oil. Regrettably, more than eight years on, there is still unfinished business. I shall devote my remarks especially to the outstanding claims of people who believe that their property was damaged as a result of the spillage.

I declare a personal interest. I have a small cottage about a mile from where the tanker went aground; subsequently, it was noted that the felt roof was warped. The roof was replaced by benefit of the compensation fund at a cost of between £3,000 and £4,000.

Unfortunately, not everyone has been so lucky in having their compensation claims met. The International Oil Pollution Compensation Fund has the advantage that those who want to claim do not have to prove negligence on the part of the ship owner or the ship's master. In any event, it is sometimes speculative—and would have been in the case of the Braer—whether the owner or master would have had the resources to meet compensation claims. However, the downside of that advantage is that compensation from the fund is limited—in respect of the Braer, it is limited to a pay-out of about £50.6 million.

At the outset, quick payments were needed to help cash flows for the worst affected industries, especially fishing and fish farming. Although there was subsequent criticism that payments were made too quickly, even with the benefit of hindsight it is right that businesses that had lost trade overnight should have been helped over their immediate difficulties.

Claims had to be identified before 15 January 1996. In October 1995, 2,000 claims, amounting to £45 million, had been settled. At that stage, a moratorium was placed on further payments. Payments were resumed only in May last year, with a dividend of 40 per cent. of approved, unpaid claims being met.

Many of the claims have been subject to court proceedings. It is only during the past few weeks that a judgment has been entered for one of the major cases, so the sub judice rules no longer apply. It relates to claims made by people who believed that their asbestos cement roofs were damaged.

My constituents and their legal representatives have expressed concern that an unduly legalistic approach was taken by the International Oil Pollution Compensation Fund. Nit-picking points have been made. Although it is not improper for solicitors and counsel advising the fund to draw attention to how its liability might be minimised, we are entitled to ask whether it is politically or morally proper that a fund set up to compensate the victims of pollution should adopt such an approach.

I shall give the House an example. In the case of a couple whose jointly owned property suffered damage from oil pollution, a claim was made by the widow, because her husband, sadly, had died in the meantime. The claim was challenged and compensation was reduced by half because she had sued only in her own name and not as the executrix of her husband's estate. No doubt the challenge was legally correct, but it begs the fundamental question of whether it was morally correct.

I have raised such issues with the fund itself and with successive Ministers with responsibility for shipping. The view seems to be taken that although the Government are party to the convention, it is inappropriate for them to intervene in individual cases. However, if the Government cannot intervene as a member of the fund, who can?

The most significant set of claims relates to damage to asbestos cement roofs. People found that their roofs started to buckle and to show signs of damage about 18 months after the Braer went aground and after dispersant was used to try to clear up the spoil. Although, at first, cases were based on damage by oil, when they came to court they were based on contamination by dispersant. In either event, the Lord Ordinary in the Court of Session—Lord Gill—found against the claimants. I do not criticise Lord Gill, as his carefully written opinion reflects the evidence laid before him.

My concern is that the fund undertook several surveys and received reports that it subsequently withheld from the claimants. Those reports may have been helpful to their cause.

In a faxed message to the director of the fund, Mans Jacobsson, in November 1994, Dr. Brian Dicks said:

"The recent reports from the Fund's surveyors in Shetland"—

he gives a number of dates—

"illustrate a number of the above points, and also contain circumstantial evidence that some current roofing problems may be attributable to oil contamination, based on geographical location and comparison with a small number of controls."

He said that it was important to recognise that a significant part of the comparative control process was provided by the experience gained from the fund's surveyors.

I have subsequently been advised from local sources that a local surveyor, acting on behalf of the fund, submitted to the fund a number of reports concerning damage to asbestos roofs. The principal report concerned

the final six months of 1994, and detailed visits, surveys and periodic inspections of a number of properties, including some done beyond the contaminated area to be used as controls. Another surveyor submitted reports in respect of a number of individual claims, including one of damage to an asbestos roof in the village of Cunningsburgh, where the owners had not even thought of claiming until it was suggested to them by a representative of the fund because of the apparent damage to the roof. Now, five years later, and after litigation, they find themselves with a bill for legal expenses.

Efforts have been made by the solicitors for the claimants at the appropriate point in the proceedings to recover the documents and reports. That was resisted by the fund. No doubt it had a legal basis for doing so and the court adjudicated accordingly, but it misses the point. No one in Shetland asked for an oil tanker to land on their doorstep and spill its load, and if the reports do not support the claimants' case, what is to be lost by their disclosure? If, on the other hand, they do lend support to the claimants' case, that survey changes the whole picture. Whatever may be the strict legal position, surely there is a moral case for the fund not to hide behind legal technicalities, but to compensate those who have suffered loss.

I have asked the fund, both in writing and when I met the director last week, whether he would disclose these documents and, to be fair, he has agreed that he will consider the request. I have addressed a similar request to the shipping Minister, the hon. Member for Streatham (Mr. Hill). I was due to meet him this morning, but unfortunately that meeting has had to be postponed until later in the month. It is important, in the interests of fairness, for these documents to be released. I urge him to use his good offices to recover them. If they do show that there was evidence of the type of damage through contamination that the claimants believe that there is, I believe that an ex gratia settlement from the fund, or indeed from the Government, who had responsibility for the spraying, would be in order.

I wish to raise two further points relating to the Braer. The first concerns expenses. It would be unfair if huge expenses were landed on the doorsteps of those who had the oil land on their doorstep. To be fair, the director of the fund has said that he will not be sending the bailiffs in. Finally, on equality of treatment, there is £3.7 million of unpaid claims already established but only £2.4 million available for further payments. Inevitably, that means a dividend, but others have been paid in full. I have asked successive shipping Ministers how the Government intend to address that inequality, and I still await an answer.

In the House we regularly pay lip service to the adage that the polluter must pay. It is intolerable that the victims of pollution should pay. There is a huge sense of grievance and injustice. There is a belief, too, that a compensation fund should do just that: compensate. I seek the disclosure of the survey reports and an indication of how the Government intend to ensure that there will be equality of treatment.

This is unfinished business. I suspect that I shall not be a Member of the House when it is finished, but I very much hope that it will be concluded in a satisfactory and just way.

4.52 pm

Mr. Tony Banks (West Ham): I am grateful to you, Mr. Deputy Speaker, for calling me. As I explained, it is my wedding anniversary today. I planned a whole evening of fun, frolics and Mrs. Banks, and I would not want to disappoint her. She has not had many fun frolics with me over recent months—or, I hope, with anyone else.

I want to raise a couple of issues on the Adjournment. First, I very much support the Government's decision to delay the local elections—and therefore, we must conclude, the general election. To hold a general election against the backdrop of foot and mouth would not have looked very good, to put it mildly, and it could have been potentially disastrous, given the record of the Ministry of Agriculture, Fisheries and Food. No one should ever underestimate MAFF's ability to foul up big-time, and the idea of that happening during a general election is too awful to contemplate.

I feel very sorry for my right hon. and hon. Friends who are MAFF Ministers, because they are caught between an agricultural industry seemingly bent on self-destruction and the daleks that staff MAFF, who are always chanting, "Exterminate them, exterminate them!" I really cannot understand why MAFF seems to be obsessed with slaughtering animals.

Bovine tuberculosis has been prevalent for many years, and MAFF's only response seems to be to kill the badgers. I find that totally unacceptable. Badgers are a protected species, but of course the Government have given themselves a dispensation in that regard, and I understand that MAFF is spending something like £34 million over seven years on killing badgers. It is also using surveillance techniques, police helicopters and photographers, and that is just to deal with concerned members of the public and journalists who try to discover what is going on.

There seems to be considerable weight of scientific opinion around the world that badgers are not responsible for bovine TB. Perhaps those at MAFF should look rather more carefully at the standards of animal husbandry before they go around slaughtering thousands of badgers.

Like many things at MAFF, killing badgers seems to be based more on voodoo than science. Of course, the same is true of the mass slaughter of healthy animals during the current outbreak of foot and mouth disease. The slaughter seems to have nothing to do with animal welfare; it is all about commercial viability. Even if we were to accept—clearly, opinion suggests that we should—the slaughter of infected animals, the slaughter of healthy creatures is cruel and wanton, if only because it flies in the face of nature.

Thank God MAFF does not run the national health service, although if it did it would certainly have a dramatic impact on waiting lists! The agricultural industry has played dice with nature for far too long, and now we are paying the price. First, innocent animals pay the price—they are slaughtered in their tens of thousands—and secondly, the taxpayer does so.

I cannot believe something that I read in the newspaper. I very rarely believe what I read in the newspapers, but I hope that it is untrue that Mr. Waugh, the farmer at Heddon-on-the-Wall who is allegedly responsible for starting the foot and mouth outbreak in this country by feeding pigs infected meat, is to receive about £50,000 in compensation. I hope that we will find out whether that

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man is guilty. If he is guilty, he should be prosecuted. If he is guilty, he deserves to go to jail; he does not deserved to be given £50,000 in compensation, paid for by the taxpayer. Indeed, others deserve to be punished—those farmers who moved sheep around the country among their own fellows to fiddle the common agricultural policy.

I feel very sorry, obviously, for decent farmers, but they must be protected by eliminating the rogues and crooks in the industry. My own humble opinion is that there should be a farms inspectorate, rather like the factories inspectorate, which would enable inspectors to enter any farm to assess the standards of animal husbandry and other matters that relate to the production of food. The agricultural industry has acted irresponsibly. We should remember that it brought us salmonella in eggs, BSE, CJD and swine fever, and now it has brought us foot and mouth. We do not need to be experts; we just have to understand nature to know that if we fly in its face, something will go badly wrong.

I remember saying from the Opposition Benches that it was obviously plausible that BSE would enter the human food chain, and Ministers saying that there was no chance of that happening. They were being advised by their MAFF officials, and they said that there was no chance, but our own innate sense told us that if animal protein was fed to herbivores, there would be a price to pay. If a species is fed to the same species—same species feeding—there will be a price to pay. People do not need qualifications in animal husbandry to understand those very basic points of nature.

Intensive farming also represents a blatant disregard for nature, and in the end nature will extract a hideous price from us. I only hope that the next Labour Government will implement a full inquiry into how we produce our food, as the Prime Minister promised—assuming, of course, that we have not all been poisoned by then.

The second issue that I want to raise is the culling of harp seals in Canada, around the Magdelene islands in the north of Newfoundland. This year's cull, which is going on at the moment, involves 275,000 harp seals, leading, some experts say, to a decline in the seal population. Hon. Members may not know that there are two methods of killing seals in Canada. In most cases, a sealer will approach a young seal and club it over the head with an instrument known as a hakapik, which has a 1.5 m handle and an iron head with a curved spike on one side and a short, blunt projection on the other. The seal is hooked and dragged to a central location, where it is skinned.

Alternatively, sealers will shoot many seals from boats, incapacitating the seals so a sealer can approach them for clubbing or skinning. In many cases, the group of seals will writhe in agony until they are killed, and it is common for shot seals to skip into the water and bleed to death, because they are lost to the sealers.

An international panel of vets has claimed that as many as 42 per cent. of seals killed were likely to have been alive when they were hooked, dragged and skinned. How on earth can the Canadian Government allow that barbarity to continue? They say that the fishermen maintain that the seals predate on cod, which is leading to a rundown in the cod stocks. However, we know that industrial fishing methods have depleted cod stocks around the world. There are times when human beings can be venal, selfish and purblind about this planet's resources. The slaughter of harp seals is a disgrace to the entire Canadian nation. What protests have the Government made to the Canadian authorities to let them know how detestable the practice is in the eyes of the public not only in this country, but around the world?

It is a pretty depressing note to finish on, but there are times when I think that human beings as a species are positively detestable. On that cheery note, I set off for a night of fun and to prepare myself for the general election.

5 pm

Mr. Christopher Gill (Ludlow): It might surprise the hon. Member for West Ham (Mr. Banks) to hear that I agree with a small part of what he said. I, too, am concerned about the wholesale slaughter of healthy animals, but I will not embark on a discursive argument with him because I want to confine my remarks to foot and mouth disease.

I know from personal experience that border controls on the import of meat and meat products into New Zealand are very stringent. That point was confirmed to me at New Zealand house only three weeks ago, when the opinion was given that it is far easier to smuggle drugs and duty free into New Zealand than animal products.

We should contrast that situation with the United Kingdom, where smuggling is now big business, and the smugglers, unlike the totally harmless vendor of a pound of bananas in Sunderland, are having a bonanza. Alcohol and tobacco smuggling now costs the Treasury £4.25 billion per annum and has led to the loss of countless jobs in the brewing industry and the retail sector. Asylum seekers are smuggled—as many as 100,000 entered the country last year, and doubtless there are more in the pipeline. It is impossible to quantify drug running, but drugs are undoubtedly widely and easily obtainable. The Government have lost control in all those areas. Notwithstanding the fact that we live on an island and are separated from our nearest neighbour by 21 miles of sea, or that we are intrinsically a law-abiding nation, smuggling is rife and extends even to the commodity in which I declare an interest—meat.

On 21 March I asked what response the Agriculture Minister had made to a letter from Mr. Lawrence of Ciel Logistics in May 2000 concerning the health risks associated with consignments of bush meat arriving at Heathrow from Africa. The Minister of State answered:

"None; the letter was passed to Her Majesty's Customs and Excise for reply."—[*Official Report*, 9 April 2001; Vol. 366, c. 476W.]

Mr. Lawrence had written to express his concern about the lack of control over the movement of products of animal origin for human consumption via UK ports, with particular reference to Heathrow airport. In his letter of 10 May to the Agriculture Minister he said:

"The points I would like to discuss with you in more detail face to face involve the importation of illegal products and the resource required to combat the detection of these goods . . . The risk to the community is extremely high given some of this product could contain disease i.e. anthrax, foot and mouth etc. Do I need to say more?"

Unfortunately for us all, the answer to that question seems to be yes. Mr. Lawrence subsequently had to write

again highlighting the problem. Speaking to the Farmers Union of Wales, he described how at Heathrow his organisation had found

"more than five tonnes of illegal meat concealed in suitcases that arrived on 14 flights from Lagos".

He added:

"We have also found cases packed with bush rats, antelope meat, fish and monkeys."

When asked in Agriculture questions by the hon. Member for Staffordshire, Moorlands (Charlotte Atkins), about personal imports of meat and meat imports the Minister of State replied that

"this issue needs to be considered urgently and it needs to be considered at the European level."—[*Official Report*, 5 April 2001; Vol. 366, c. 490.]

In other words, Ministers have consistently said, "Not me guv. I'm only the Minister." These are matters for Her Majesty's Customs and Excise, for the European Union or for anyone other than this craven Government.

Nothing better illustrates the Government's whole approach to the foot and mouth epidemic sweeping the country than their failure to heed the warnings, their failure to follow the advice in the Northumberland report that followed the 1967 outbreak, their failure to act decisively and to establish a workable command-and-control system, and the paralysis in the decision-making process that has invariably resulted in too little too late.

Part of the explanation for that miserable state of affairs is the fact that agriculture policy decisions are taken at the centre; there is no local, regional or national autonomy. The agriculture collective in which the British industry is enmeshed is controlled from Brussels. That is why, when the European Union decided to close all livestock markets, the Minister could not without reference to Brussels tell the House whether the United Kingdom could continue to use market premises as collection centres for abattoirs. That is why, to the utter amazement of the British public, the Government—of whom the hon. Member for Leicester, East (Mr. Vaz) is still a member—cannot make the ultimate decision about vaccination. So it goes on.

Last year, I told the House that the common agricultural policy had failed and failed comprehensively. I said:

"It has failed producers, consumers, taxpayers and the nation."—[*Official Report*, 11 May 2000; Vol. 349, c. 1075.]

Those words have been echoed by the Prime Minister. Last month, he was reported as saying that the common agricultural policy was

"bad for taxpayers, bad for consumers, bad for the environment and ultimately bad for farmers".

The Prime Minister and I make unlikely bedfellows, but I am delighted to welcome him to the real world.

News bulletins today are saying that, since movement restrictions were imposed, there have been 300 illegal sheep movements. It is impossible to know whether that figure is an overestimate or an underestimate—who knows?—but we know for certain that those illegal sheep movements are a direct consequence of the European Union sheep regime based, as it is, on quotas and headage payments. Unlike the old UK deficiency payment scheme, it is wide open to fraud and abuse.

To return to the Government's handling of the outbreak, a week last Friday I had a site meeting with my constituent, Mr. Michael Holloway of Gwarthlow farm, Churchstoke. He had been told the previous day that his dairy herd was to be slaughtered. Present at the meeting was an Army officer who assured me that organisationally matters were generally well under control, but that operationally there were problems because there was a shortage of vets and of slaughtermen. That was on the very day that I read in my newspaper that the British Small Animal Veterinary Association had offered to cancel its annual conference so as to volunteer its members to assist the Ministry of Agriculture, Fisheries and Food with the cull, an offer that MAFF had apparently declined.

In the meantime, my constituent, Mr. A. C. Webster of Ludlow, who is a qualified slaughterman, had been refused permission to take unpaid leave to go on the cull even though he was temporarily without work with his employer, the Meat Hygiene Service, which is another agency of government. The facts simply do not add up. If they do, they add up to a picture of muddle and confusion out of which the Government emerge with little credit.

We have the nonsensical situation in which fit animals in restricted areas cannot be consigned to abattoirs, but animals in the welfare disposal scheme apparently can be. We have the ridiculous situation in which healthy animals in contiguous and firebreak areas are being killed sometimes against their owners wishes, while the cull of 1.5 million animals that owners want to dispose of under the welfare disposal scheme is endlessly delayed.

The situation is appalling. Healthy animals are being dispatched, even though there is a massive backlog of carcases to dispose of. In addition, we have the phenomenon of the Minister urging farmers not to appeal against the culling of healthy animals when, from day one, the biggest problem has been the Government's failure to authorise the prompt dispatch and disposal of animals known to be infected. That is against a background of the ban on the export of meat and meat products from other countries with foot and mouth disease being applied on a regional or provincial basis rather than a national basis, as in the case of the Netherlands and Uruguay. In fairness, I note that restrictions on Northern Ireland will be lifted next week, subject to there being no further outbreaks. I welcome that.

In the few seconds remaining to me, I want to deal with another aspect of the crisis and draw Ministers' attention to the plight of my constituents who, through no fault of their own, are without an income. It is self-evident that if one is running a business and there are insufficient customers or profits on sales to cover the overheads, the business is unsustainable. Even worse, if there are no customers, the business must cease trading. It could not be put better—

Mr. Deputy Speaker: Order. The hon. Gentleman has had his 10 minutes.

5.11 pm

Shona McIsaac (Cleethorpes): The speech by my hon. Friend the Member for Telford (Mr. Grocott) was inspiring. I am sure that most hon. Members would echo what he said about the improvements that have been made to many different aspects of public services in their constituencies. However, I want to focus on something on which the Government are not doing so well.

[Shona McIsaac]

I am concerned about East Ravendale school in the Lincolnshire wolds. Every time I hear Education Ministers say that they are getting rid of outside toilets and mobile classrooms in schools, I want to put up my hand and say to the Secretary of State, "Please, sir. You're not doing that in East Ravendale." The school is successful and I pay tribute to the head teacher, Mike Pickwell, on what he and his teachers manage to achieve in difficult circumstances. To put it simply and succinctly, the conditions in which the children are being taught are not acceptable in this day and age, especially given the Government's commitment on school facilities.

The school has only three girls' and three boys' toilets for a roll of about 130 pupils. Those outside toilets are used by all age groups, from three-year-olds to year 6. It is difficult to supervise children, especially the very young ones, when they use the toilets, which are damp and mouldy. The children always get soaked when they go to them from their classrooms in bad weather and there are no disabled facilities. In addition, the toilets have recently been invaded by rats. I do not want to dwell on that. It is a rural school and there is wildlife around it. However, the rats have caught the imagination of the pupils who recently wrote to me and presented me with some wonderful books that show how they feel about them. Almost every page has a picture of rats. Although the rats are smiling, I do not think that the children are so happy. One picture is of a girl in an outside loo shrieking with horror because the rats are underneath her.

The staff loos are also outside. They have not been invaded by rats, but there are many friendly spiders. There is one toilet for male staff and one for female staff, which have to be used when they get changed for PE lessons. It is impossible to have inside toilet facilities in the school because there is no building in which to put them. All five classrooms in the school are in mobile facilities that are well past their sell-by date and on a slope. They suffer from severe structural problems and inadequate glazing, poor heating and poor ventilation. That means that classrooms are too hot in summer and far too cold in winter; they are overcrowded and there is virtually no room for information technology facilities. I am afraid that rats have taken up residence under one mobile classroom.

There is just one small brick building in the school—the old school hall, which, for metric martyrs in the House measures 9.6 m by 4.5 m, so there is no space in it for inside toilets. The hall is used for teaching the children, but it is also the main entrance to the school so, when anyone visits, lessons are disrupted. We need a new school; it is as simple as that. There is no room for medical facilities in the school; the children cannot do PE properly, and equipment has to be stored in an old garage. Because of the physical geography of its location—there are slopes and steps between mobile classrooms—disabled children cannot go to the school. Even for the able-bodied children, it is very dangerous in icy weather.

Land is available for a new school, and it is owned by the local authority. I am trying to encourage Ministers to assist the local authority to secure funding for a new school for East Ravendale. A letter from my right hon. Friend the Secretary of State for Education and Employment was sent to the leader of the council, Councillor Len Taylor, on 30 March, in which he states:

"I am very concerned at what you describe, particularly given that I have sought to target funding to eliminate reliance on outside toilets and reduce the level of temporary accommodation in poor condition."

We managed to get officials from the Department for Education and Employment to visit the school on 2 April, when we experienced what was probably the best weather of the year so far. They chose to visit on a lovely spring morning; it was sunny and the bulbs were out. They must have thought that they were visiting an idyllic village in the Lincolnshire wolds. They should have seen it when it was pouring with rain, the kids were getting wet going outside all the time, and damp was being brought into the classrooms. That would have shown them the problems faced by the school.

The school, the parents, the chair of governors, Mark Webb, Councillor Len Taylor, the director of education, Geoff Hill, and I all support the campaign for a new school in East Ravendale, as that is the only way that we are going to tackle the problem of mobile classrooms and outside toilets. The campaign has gone on for too long; I do not want East Ravendale school to be the only school left in the country with outside toilets. If an Education Minister stands up and says that the Government have got rid of outside toilets, I shall jump up again to say, "Oh no you haven't. Get on and help the council to get funding for a new school in East Ravendale."

5.17 pm

Mr. Simon Burns (West Chelmsford): I welcome the opportunity before the Easter Adjournment to raise two issues of crucial importance to my constituents, on which something needs to be done urgently.

First, the erection of telecommunications masts by Orange is causing tremendous problems in a residential area of Chelmsford. The mast that is the bone of much contention in the town was refused planning permission by Chelmsford borough council. Orange took the council's decision to appeal with the independent planning inspectorate, which reversed the council's decision to allow that unsightly telecommunications mast to be erected in a residential area, opposite shops and surrounded by domestic dwellings. The mast is unsightly and there is still a belief that masts are a health hazard although, to be fair, the jury is still out on that issue.

Something is seriously wrong when a community is united against having a telecommunications mast in its residential area, the local authority, the Member of Parliament and everyone else are opposed to it, but companies are allowed to put masts up against the wishes of local people. Springfield residents association and local residents in the Bodmin road and Torquay road area of Chelmsford have fought vigorously—as, to its credit, has Chelmsford borough council—although, sadly, to no avail.

The time has come for this House and the Government to look again at the whole issue of planning and telecommunications masts. We have seen just the tip of the iceberg; another wave of masts will have to be erected owing to the popularity of mobile telephones. We need to change planning guidance, so that the views of local

communities and the environmental impact and the possible health hazard of masts are taken more into account.

We must also bring greater uniformity to the decision-making process of the planning inspectorate in Bristol. We in Chelmsford have seen decisions on cases in Stanmore and in Harrow, for example, where applications were made to place similar masts in similar residential areas. The planning inspectorate has said that on grounds of both visual impact and possible health problems those masts should not be erected, yet the inspector who considered the appeal in Chelmsford has allowed erection of the mast to go ahead.

My constituents are perplexed. How can one inspector say no in Stanmore because the mast would be in a residential area, might create a health hazard and would certainly be unsightly, but another from the same organisation say yes in Chelmsford? We must consider the issue as a matter of urgency because it will impact more and more on people's lives and on more and more hon. Members' constituencies.

The second issue that I should like to raise concerns the number of houses that are to be inflicted on the Chelmsford local authority area as a result of the planning diktats of the Deputy Prime Minister and the Department of the Environment, Transport and the Regions.

Over the next 10 years, 12,500 new dwellings are to be forced on Chelmsford. This decade, greenfield sites will be concreted over because Chelmsford does not have enough brownfield land to sustain the housebuilding that the Government are demanding of it. I always thought—the Deputy Prime Minister confirmed this in a written answer to me a year ago—that the 60 per cent. brownfield build figure was a national average. Therefore, areas that can take more than 60 per cent. brownfield site development should have more housing, and areas that do not have enough brownfield sites to meet the target should take less.

We have been landed with the building of 12,500 houses. I particularly resent the fact that 2,500 of them will be nothing to do with the future housing needs of mid-Essex. We are being told to take 2,500 houses in order to relieve pressure on housing in the south of the county. The Government want the Thames gateway to be an area of industrial development and growing employment. Why cannot the housing be in that part of the county in order to sustain the jobs that the Government rightly want to create? Sadly, we must have them in Chelmsford; they are being dumped on us—we are being asked to take a disproportionate amount of housing.

Where is that housing to go in the Chelmsford local authority area? There is a reasonable amount of brownfield land in my constituency, which will obviously be used up, but we must still provide a significant amount of other land for extra housing. The village of Boreham has been singled out by Liberal Democrat-controlled Chelmsford borough council for 2,000 of the houses. Boreham is a very small village and a compact community, and to swamp it with more than 2,000 houses will totally destroy its nature.

There is an irony that will be apparent to anyone who is not cynical. Sadly, any cynical person will have seen the trend in Liberal Democrat-controlled councils throughout the country. By strange co-incidence, Boreham had a by-election for Chelmsford borough council in early July last year. Of course, the prospect of significant housebuilding in the village was a major issue in the campaign. The seat had been held for 13 years by a Liberal Democrat councillor who had retired. Through literature, interviews and press releases to the local papers, the Liberal Democrat candidate, with the full support of the Liberal Democrat leader of the council, spent the entire campaign assuring prospective voters that he was solidly opposed to any housebuilding in Boreham, and that as the elected councillor, he would fight against it.

Funnily enough, the Conservatives won that by-election, which shows the good sense of the good people of Boreham. Not only did they win it, but they won it on a turn-out of 42 per cent., with a 30 per cent. swing to the Conservatives. Lo and behold, only three months ago, it was Liberal Democrat-controlled Chelmsford borough council that decided to dump 2,000 houses on the village of Boreham. My constituents in Boreham are utterly perplexed at that sudden about-turn.

Although the Liberal Democrat candidate is not the borough councillor for Chelmsford, the leader of Chelmsford borough council is still the same man who stood side by side with that candidate when they were trying to get the voters of Boreham to vote for him, assuring the people of Boreham that they would not have the housing there and that the Liberal Democrats would protect Boreham from becoming a suburb of Chelmsford.

That is a classic example of the Liberal Democrats' behaviour. In what I assume will shortly be a general election, I would not want to be the Liberal Democrat parliamentary candidate campaigning in the village of Boreham. The people of Boreham have been bitten once and they will not believe a single word that a Liberal Democrat politician tells them, not only about housebuilding, but on any other subject under the sun.

My constituency will be crucified by the amount of housebuilding that is to be forced upon it in the next 10 years. That is wrong. Even at this late stage, I urge the Government to place the proposed 2,500 houses in the Thames gateway and to reconsider the number of houses that they believe should be built.

5.27 pm

Mr. Harry Barnes (North-East Derbyshire): Last Wednesday, at about 11.15 am, it was finally recognised that there had been an escape of sulphur trioxide from the sulphuric acid plant at Rhodia Eco Services Ltd, which is known locally as Staveley Chemicals, a previous name of the plant. Staveley Chemicals dominates the Staveley area and used to employ a great number of people. It now employs only 130, but those are important jobs.

The emissions had lasted for half an hour and, in breezy conditions, were spread over the rest of Staveley and into the constituency of my right hon. Friend the Member for Chesterfield (Mr. Benn). If it had been raining at the time, or there had been a great deal of moisture in the air, that would have turned the sulphur trioxide into acid, creating serious problems. It is not easy to determine whether it was worse for the breeze to disperse the sulphur trioxide, or whether the situation would have been worse if it had remained static, held by rain.

The emergency services moved quickly and, once the situation became clear, the police and fire services were on the spot. Nineteen roads in Staveley were blocked off, and the indications are that the emergency services

[Mr. Harry Barnes]

operation worked well, although there is further debriefing to be done and further information to be supplied to Derbyshire county council.

Staveley Chemicals has a siren that sounds when any emergency occurs. It now has an all-clear system, which ensured that another signal was sounded 45 minutes after the emergency signal, when the procedure had been completed. At one stage, it had only the initial emergency sound, so when false alarms occurred, people sometimes remained in their homes for considerable periods with their windows locked. Some of them stayed hidden under tables and so on, and did not know when to come out. I subsequently made representations suggesting the introduction of an all-clear system. There is a difficulty in the area, as Coalite at Bolsover, which is not far away, also has a siren system and it is not always clear which siren is being sounded.

The current investigation into what occurred is being conducted under the COMAH—control of major accident hazards—regulations. The incident in question took place after recent maintenance work. Three policemen and a television camera worker were taken to the Chesterfield and North Derbyshire Royal hospital and released later after treatment. Immediate investigations were set up by the integrated pollution control unit of the Environment Agency, working in association with the Health and Safety Executive. The plant's liaison committee, which is chaired by councillor Vicky Lang, meets today in Staveley to look into what occurred. The Derbyshire county council emergency planning unit is also reviewing operations with regard to the emergencies.

Unfortunately, the incident was not unique in North-East Derbyshire. In May and June 1998, there were two serious escapes of acid gas at the SARP plant in Killamarsh. In one incident, the gas escaped from a tanker. The other escape was emitted from a tank that imploded. In that incident, the tank that the tankers were filling up imploded, with a massive escape of acid gas. My right hon. Friend the Minister for the Environment later visited the SARP plant and the Killamarsh area. The offending processes at Killamarsh have since been moved from the site, which is now owned by Onyx. I am seeking the close attention of my right hon. Friend and of the Department of the Environment, Transport and the Regions with regard to the incident. It is likely that prosecutions will occur following the Environment Agency investigation.

Under the Pollution Prevention and Control Act 1999, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions has power to introduce regulatory measures. Although that Act derived from the need to codify European Union regulations, it was also influenced by the SARP incidents, which had an important impact on the understanding of these matters that was gained by my right hon. Friend the Minister for the Environment. We must find out whether the powers that the 1999 Act provides are adequate for dealing with such circumstances, or whether the legislation should be added to, perhaps with provisions that confer prosecution powers against directors.

I have raised that matter with my right hon. Friend the Home Secretary in connection with the ex-Vinatex workers group. The Vinatex firm was situated in the Staveley area, near Staveley Chemicals. It closed shortly before I became an MP in 1987. An investigation that was recently conducted by the trade union safety team made various suggestions about the problems that occurred and about the risks faced by workers in the plastics industry in terms of cancers and other serious effects. It also pointed out the lessons that can be learned about more serious action in future. The matter is well understood by my right hon. Friend the Minister for the Environment, and the incident at Staveley, which covered a vast area, needs to be taken on board in that regard.

Staveley Chemicals is next to Stanton plc, which is owned by Saint-Gobain, a French-based multinational company. Saint-Gobain took over Biwater Industries (Clay Cross) Ltd. in my constituency and immediately announced the plant's closure with the loss of nearly 700 jobs, leaving only a few maintenance workers. Jobs at Stanton plc, next to Staveley Chemicals, seem to be guaranteed for the time being, but given the way in which Saint-Gobain operates and is seeking to transfer a great deal of pipe production overseas, a problem still exists for Stanton plc.

I want to refer to the dismissal of workers at Biwater. Marks and Spencer proposed the closure of 18 stores in France, but after a plea by trade unions, on 29 March a judge in Paris ruled that Marks and Spencer had failed in its responsibility under French and EU law to give due warning to the workers, contrary to works council provisions in particular. Britain has no similar legislation, but had we had it, the 700 jobs at the Biwater plant in Clay Cross might still remain.

These problems, arising in my constituency in the Staveley area and in Clay Cross, provide lessons for the Department of Trade and Industry.

5.37 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): My speech today is in two parts. First, I want to lay before the House the situation of my constituent, Mr. Crawley. Mr. Crawley is dying; indeed, he may already be dead as I speak. He has cancer, and neither his family nor I are in any doubt that his condition has been caused by the stress to which he has been subjected by the Ministry of Defence.

I shall not weary the House with all the details of his case; suffice it to say that Mr. Crawley's firm, Chesswood Floors, was a flooring contractor to the Ministry of Defence. His work for it in Kent over several years was of a quality which allowed him to win a contract carpeting MOD houses in Aldershot.

Out of the blue, acting on an allegation of fraud from an undisclosed source, the Ministry of Defence raided his office in May 1992 and took from it not only papers relating to the MOD but all his other business papers, to which it had no legal right whatever.

As a result, Chesswood Floors was forced into liquidation, Mr. Crawley's honesty had been impugned, the Crown Prosecution Service has confirmed that it has no charges to bring—yet the Government, despite assurances on several occasions, have failed to disclose the necessary documents to allow Mr. Crawley a chance to rebut the allegations. Whenever he has complained, the MOD has told him that if he does not like it he can always go to court. How crude, how disingenuous and how tyrannical.

The MOD knows perfectly well that Mr. Crawley cannot afford to go to court. The whole thing smacks of MOD techniques perfected over centuries of dealing with aggrieved citizens—drag it out long enough and they will die off. We have seen it with soldiers entitled to compensation often enough; we are seeing it here now.

This is a clear case of Government bullying which has killed one of my constituents, and we should not adjourn until the Government promise instant action and redress.

Our procedures, based on the mediaeval belief that the best way to arrive at the truth is through adversarial confrontation, make it difficult to concentrate hon. Members' minds on anything but the shortest of short terms. However, unless we make a considered examination of the country's future, we shall betray not only those who sent us here but their children and grandchildren.

By some international measurements, we are one of the half-dozen richest countries in the world. We have houses, footballers and disc jockeys worth several million pounds. We are inventive, energetic and proud of our achievements. Why should not our current prosperity last for ever?

I live on the top floor of a block of flats. The block is well run, and serious defects are quickly spotted and speedily remedied. If I wish to improve my flat, I can do so with confidence. I sometimes believe that the United Kingdom is like a block of flats; let us call it UK court. It is full of people on the upper floors who are busily engaged in improving their property, building penthouses, putting in swimming pools and picture windows. However, unlike my block of flats, the basement of UK court is rotting away. Before too long, the effects of the largely neglected rot will spread to higher floors and destroy the building.

I invite hon. Members to consider elements that should receive much more attention. I begin with demography. By 2016, for the first time in our history, the number of people who are over 65 will be greater than that of those under 16. That will present enormous challenges. In previous centuries, we coped with demographic shifts by improving technology. However, the greatest need of an ageing and increasingly solitary population will be for human help. Its members are likely to be the least well equipped to adapt to new technologies. We shall need people to fill the gap.

The current debate on immigration should therefore be conducted without hysteria. We need more people if our public services are to survive and our older citizens are to be adequately cared for. We can find them either by immorally robbing much poorer countries of the skilled people on whom their future depends, or by adopting a rational immigration policy. Such a policy would either make use of the skills of our current immigrants instead of forcing them to do unskilled, illegal work, or it would establish a quota of foreigners who would be allowed to settle here permanently.

There are two other choices. First, we could stop killing our unborn children. Abortion rates among women aged 16 to 19 and 20 to 24 have been growing fast. In the 16 to 19 age group, abortions have increased from 2.5 per 1,000 in 1968 to 26.5 per 1,000 in 1998. For 20 to 24-year-olds, abortions have increased from 3.4 to 30.4 per 1,000 women. The UK has chosen a path that makes substituting foreigners for UK-born citizens inevitable.

The second option brings me to the next symptom of rot in UK court. We could make better use of our young people. We could start to love our children instead of disregarding them. We could give them the care and education that they need. We could give those who go off the rails the support that would return them to mainstream society. We currently do precisely the opposite. As a society, we do not love our children. In 1999, the Office for National Statistics found that 10 per cent. of our schoolchildren suffer from mental disorders and 30 per cent. of those are never seen by a consultant or even a general practitioner. Such children are four times more likely to play truant, three times more likely to suffer from specific learning difficulties and 10 times more likely to be in trouble with the police.

This is when we really show how we care for our children: once those children, whose homes are poor and usually fragmented, go off the rails, we clamour for them to be subjected to the full rigour of the law. "Lock them up", we cry, and we do. Although the incidence of youth crime has scarcely altered in the past 10 years, the number of those locked up has "gratifyingly" increased. Between 1991 and 2000, the number of male young offenders under sentence in young offenders institutions rose from 5,683 to 8,224. And what a good place to send them: 77 per cent. reoffended within two years of their discharge. Between a quarter and a third of the residents of young offenders institutions are not even convicted but are on remand. We should be ashamed of ourselves.

We should be even more ashamed of the next thing that I am about to mention. I wonder whether the House realises that, once in a young offenders institution or any other penal institution, a child is deprived of the protection of the Children Act 1989. If a 15 or 16-year-old on remand is raped, the social services cannot even carry out an investigation under the Act. What do we think we are doing?

Let us leave on one side our children who take to crime—after all, everyone else does. Let us look at our schools. We travel the world teaching other countries how to run an education system, so we surely must be good at it. Each year, 200,000 children fail to obtain at least one GCSE of grade C or above, and 30,000 leave with no graded GCSEs at all. That is hardly a stunning return on 42,000 hours of compulsory school attendance. No wonder truancy is on the increase.

GCSEs apart, what about skills? In some parts of England, almost four out of 10 adults cannot read or write properly or do simple sums. About 24 per cent. of adults in the United Kingdom can be described as functionally illiterate. As the international adult literacy survey found, 8 million people in the United Kingdom are so poor at reading and writing that they cannot cope with the demands of modern life.

This rich, proud country is turning out of its schools more functionally illiterate people than any country in the European Union except Italy. Not only is it a disgrace—indeed, a form of child abuse—but it spells huge dangers for the rest of us. People who cannot find work or earn a decent wage turn disproportionately to antisocial behaviour and disrupt the lives of the rest of us. If compassion does not move us, let us try self-interest. Self-interest persuaded the Victorians to build public drains. Would it persuade us to improve our schools?

[Mr. Andrew Rowe]

It had better, because even if we set aside the need for dignity and self-regard as unimportant, we need these men and women for the future.

I could go on and on. I could point to the alarming rise in sexually transmitted infections and the frequent comments from our young that they do not know enough about HIV-AIDS. I could ask whether we are on the verge of a sharp increase in HIV. I could point out that our young people drink more alcohol and drink to excess more often than any other young people in Europe. We should listen to the voices of young people. The creation of the UK Youth Parliament has been of some benefit so far. Let us listen to the young people who have positive ideas for the future and try to make sense of our lives.

Several hon. Members *rose—*

Madam Deputy Speaker (Mrs. Sylvia Heal): Order. I see that a considerable number of Members wish to contribute to the debate. If hon. Members make their comments even shorter than 10 minutes, several more may be able to catch my eye.

5.48 pm

Mr. John McDonnell (Hayes and Harlington): I wish to raise two constituency cases relating to the investigation of and response to complaints about health treatment. They have led me and many others to draw attention to the need for further reform of the NHS complaints procedures. The first case relates to an elderly man, and the second to a child.

The elderly man, Mr. Alfred Riddle, was taken into hospital on 8 March 1993. He was advised by his consultant that he had a small bleeding ulcer that required surgery. The family were advised that there was some risk, owing to his age. The operation was carried out on 10 March. He was then admitted to the intensive care unit. He died 16 days after the operation. The family were informed half an hour before he died that he had been suffering from stomach cancer and that it had spread, causing major organ failure. The family refused the death certificate as a result. They asked the key question why incorrect information had been provided before surgery, thus precluding Mr. Riddle senior and his family from making an informed decision about the proposed treatment.

When the hospital was questioned, it gave several different responses at different times. The family took up the complaint formally with the hospital trust in 1994. They were dissatisfied with the reply, which they found to be dissembling. They requested an independent review. The request was considered by the associate director of public health, but was deemed inappropriate. The family were instructed to resolve the matter locally. No appeal against that decision was possible under the procedure at that time. A number of meetings were held with the family. That did not resolve the complaint.

The family then approached the health service commissioner to seek an intervention, but with no success. The commissioner rejected the case because complaints should normally reach the ombudsman within a year of the event taking place or coming to his notice.

I wrote to the Minister, Baroness Jay, suggesting an independent review to satisfy the family. That was rejected. The advice provided was that the only alternative was for the family to seek legal advice. I sought a further ministerial meeting, this time with Baroness Hayman. I was then informed that no appeal against the decision to refuse an independent review was possible under the original procedures and new procedures for NHS complaints had been instituted, but that a complaint that had first been lodged under the old procedures could not be taken up under the new procedures.

The system has proved to be totally inadequate in establishing the truth of the case, in satisfying the family's concerns and in demonstrating that any lessons have been learned for the future so that no one else has to go through that experience. Naturally, the family are not only concerned but extremely angry. Nearly 10 years after the event, they still do not know the facts of what happened to their beloved father.

I turn to an equally, if not more, tragic case: the case of my constituent Joanna Nash. She was aged six. She became ill on 31 August 1994, at which time she was taken to her doctor. The doctor advised her mother not to take her to hospital immediately, but on the following day she was no better. On 1 September 1994, Mrs. Nash took Joanna to Hillingdon hospital, where it was felt by the treating doctor that she should not be admitted; gastro-enteritis was diagnosed.

On 3 September 1994, Mrs. Nash took Joanna back to the hospital as there were no visible signs of improvement in her daughter's condition. This time, Joanna was admitted to hospital. Her kidneys had failed. On Sunday 4 September 1994, Joanna was transferred to Great Ormond Street children's hospital where her condition was immediately diagnosed as haemolytic uraemic syndrome and she was put on a dialysis machine. Unfortunately, that six-year-old child died on Friday 9 September 1994 at Great Ormond Street hospital.

The family were concerned with the treatment that Joanna received at Hillingdon hospital and met the consultants to question them about the nature of the treatment that was received, about the treatment that should have been received and about what the diagnosis should have been. They found the answers to be insufficient, to say the least. They went to an independent professional review. They discovered that even during the independent review, a number of factors had not been taken into account. Hillingdon hospital had refused to supply a blood sample to specialists so that they could further the investigation.

At no stage have the family been given a copy of the report that the specialists undertook in the investigation itself. Later, they discovered that the condition was caused by the bacterium E. coli O157, but the review itself never discovered that. They had to find that information themselves.

Joanna's notes were looked at independently as a result of the family's own intervention. It became apparent that errors were made in her "treatment", which not only failed to diagnose the problem, but even made the condition worse.

On the basis of that information, the family sought to reopen the inquiry. They were refused and told that it was not possible within the existing procedures, so there has been no opportunity to investigate and to demonstrate

whether the practices for treating Joanna were adequate or whether any lessons have been learned. The Nashes have set up an organisation that has campaigned over a number of years, linking families who have gone through similar experiences. I pay tribute to the work that they have done to raise awareness of that condition and of the need for better treatment. However, throughout all this, they have been told that the time limits preclude any further investigation of their daughter's death.

I believe that it is time to review the NHS complaints procedure to deal with the difficult cases that have been caught in the transitional process of change between the two complaints systems: the one prior to April 1996 and the one after it. There is a need to review cases that have been debarred simply because they were initially pursued under the system before 19 April 1996. There is a need to institute procedures for reopening inquiries when new information comes to light. There is a need for greater flexibility in the administration of time limits. No time limits are set in relation to serious crimes or miscarriages of justice and none should be set in these cases. There is now a need for a specialist agency to investigate complex cases that is similar to the Criminal Cases Review Commission which investigates miscarriages of justice. I urge that there should be greater lay input to any new procedure that we may establish.

My sympathy goes out to the families who have suffered so much—the Riddle family and the Nash family. They have suffered because the system was inadequate to meet their concerns. However, I salute them for their persistence in seeking reform and justice.

5.55 pm

Mr. Tony Baldry (Banbury): I shall try to be extremely brief as I appreciate that colleagues wish to contribute to the debate. However, given that we shall have a 12-day recess, it is a great pity that time could not be found for a proper day-long debate on the impact of the foot and mouth crisis which is affecting many hon. Members. I think that many people in the countryside will find it bizarre that we shall be taking a recess of almost a fortnight in which hon. Members will have no opportunity to question Ministers. I am also still waiting for just one answer to any of my written questions that is more substantive than, "I will write to the hon. Gentleman as soon as possible."

Some weeks ago, at Little Chesterton in my constituency, we had an isolated outbreak of foot and mouth. It was a devastating tragedy not only for the farmer concerned, Clive Hawes, but for the surrounding area. The result of that isolated incident was that MAFF designated an area within a 16 km radius of the outbreak as an infected area. The designation covers a vast area, going from Abingdon to Witney, round to Buckingham, Aylesbury and Thame and back to Abingdon, and affects a large number of farmers.

The effect of being in a designated area is that farmers inside it are subject to even tighter controls than those applying outside it. They cannot, for example, send their animals to slaughter or move them more than half a kilometre. It is also difficult for farmers in the area to enter animals into the welfare disposal scheme because, whereas animals in an infected area have to be slaughtered within that area, there is no slaughterhouse in the area. Although on-farm slaughter is an option, that option does not seem to have been approved yet by MAFF and the Intervention Board. So, the animals are trapped on the farms, and the farms are rapidly becoming overstocked. We shall have some extremely distressing animal welfare problems.

Yesterday, I informed the Agriculture Minister of the concerns of Mrs. Wilcox, who has 3,000 piglets on her farm in temporary straw accommodation which has become waterlogged from the heavy rain. They cannot be slaughtered or moved. Almost daily, farmers telephone me in considerable distress because they cannot resolve issues in relation to ewes that are lambing in inappropriate conditions. However, their stress is compounded by the fact that they cannot get any answers from MAFF. No one answers the telephones or will tell them what is happening. More important, no one seems to recognise the problems that those farmers are facing.

To date, there have been no further outbreaks of foot and mouth in Oxfordshire. In previous outbreaks, the boundary of an infected area could be reviewed and reduced. Now, we have a ludicrous situation in which MAFF can designate an infected area of 16 km, but says that it cannot lift the designation without authorisation from Brussels. There does not seem to be an accepted understanding or process of how such authorisation is sought.

Therefore, large numbers of farmers in Oxfordshire seem to be stuck in a system in which their farms are simply over-burgeoning with livestock that they cannot move or have slaughtered, producing ever-increasing animal welfare problems. MAFF officials do not yet seem to be able to consider ways of approaching Brussels to determine how they can modify an infected area boundary. They seem to have the power to impose draconian restrictions, but no power to remove them.

I entirely accept the need for livestock movements to be controlled, especially in the tragic areas where the disease is running riot, but common sense must prevail. In the case of farmers in my constituency, there must be a strong argument for an urgent review of the existing control measures. Those farmers cannot simply be left to struggle on until MAFF officials get round to dealing with their problems.

I ask the Minister to use his influence with his MAFF colleagues to encourage them to carry out an urgent review of the current infected area imposed in Oxfordshire. I believe that there are similar problems in Leicestershire and Northamptonshire, where isolated outbreaks have also taken place. Can there please be some recognition of the problems that are being experienced? Otherwise, over the Easter break Ministers will see on their television screens an increasing number of distressing pictures of animals that are themselves in considerable distress—scenes that I think would be offensive to everyone, and which are already causing great concern to the Royal Society for the Prevention of Cruelty to Animals and others. Farmers are powerless to act, and they are becoming increasingly upset.

I would like to say much more about the impact of foot and mouth disease on individual farmers and businesses connected with tourism in my constituency, but I know that time is short and others wish to speak. I hope that the Minister will take my points on board. I would welcome a substantive written reply to my queries, and something more from the Government than everyone seems currently

[Mr. Tony Baldry]

to be receiving—the standard response to parliamentary questions, which is that an answer will be given as soon as possible. What we would like, and our farmers would like—as would others who are involved—is some answers today.

6.2 pm

Dr. Rudi Vis (Finchley and Golders Green): I want to focus on the earthquake in Gujarat. I have met constituents of all faiths, races and backgrounds who have contributed in one way or another to the many victims and loved ones of that horrible earthquake, which took place on 26 January 2001.

Huge cracks in the salt flats of the Rann of Kutch—it is not always understood how such cracks come about—marked the epicentre of the quake. At that point, some six miles below the surface, a failure in the seismic fault triggered an earthquake measuring 7.9 on the Richter scale. It resulted in the death of many thousands of people; it has also meant the destruction of the livelihoods of far more people in India and elsewhere than can be imagined.

Many of our constituents who have close ties with India through friends and family jumped into action with money-raising and other activities. Quite a few immediately went to India to help. Most of our schools helped with fund-raising in imaginative ways; temples, mosques, churches and synagogues sprang into action. I am honoured to represent a constituency containing so many people who immediately went out of their way to help India in whatever manner they could think of, and I am sure that I am not the only Member present with such constituents.

This tragedy is no different from similar occurrences in Greece, Turkey, China, El Salvador and Iran, but the scale of death and destruction is almost inevitably greater in India. The earth shook 1,200 miles away from the epicentre, and the quake was felt as far away as Nepal. Gujarat is a state with 42 million people, and tens of thousands of British Indians have extended families in that part of the sub-continent.

Within two days, the Indian army had mobilised its biggest emergency operation since the massive quake in 1950. The United Kingdom sent a 70-strong team ready to search for survivors, and to help fight diseases, set up tent camps, provide food and blankets, and assist in hospitals. India was well prepared in many ways—or as well prepared as it could have been—because almost half of India is prone to earthquakes. The weakest links are, perhaps, the collapsed modern tower blocks, which point to the ignoring of building codes and a failure to observe safety measures.

I wrote to the Prime Minister and to Ministers who deal with immigration matters to ask our Government to review speedily and with compassion immigration procedures for dependants of British citizens affected by the horrors of the earthquake and its aftermath. The replies were entirely positive and sensitive; I thank the Prime Minister and his colleagues for that.

I also wrote to Ministers about the enormous work undertaken in India by the BAPS Swaminarayan Sanstha who have provided food, medicine, clothing and many other necessities for the survivors of the earthquake. The distribution of relief material was the initial focus of BAPS; help was given to about 300 towns and villages by 6,500 volunteers, including doctors and many professionals. To give but one example, well over 1.5 million pouches of water have already been provided by BAPS. All the volunteers offer honorary service and the organisation has zero administration costs—remarkable in itself—so every pound donated goes directly and in full to the relief of the sufferers.

At present, rehabilitation of the homeless is the focus for BAPS; there is an imaginative low-cost, sponsor-a-home scheme and a hospital with modern facilities is being constructed in Bhuj.

Mr. Gareth R. Thomas (Harrow, West): My hon. Friend describes clearly what has been happening in his constituency. Equally, in my constituency, in the borough of Harrow, considerable efforts have been made by the Asian community and by churches and synagogues alike to raise funds to relieve the immediate suffering of those in the Gujarati earthquake. Does my hon. Friend share my view that we also need to consider how we rebuild the communities which have been hit by the earthquake? We must continue to exert pressure on our Government and on other Governments to ensure that, once the immediate publicity disappears, we retain the focus on rebuilding the state of Gujarat.

Dr. Vis: I thank my hon. Friend for those comments; I associate myself with every word of them.

I had planned to say a few more things, but as time is limited and other hon. Members want to speak, I shall point out only that if people want further information, they should please consult the website—www.swaminarayan.org. Will my hon. Friend the Parliamentary Secretary, Privy Council Office consider any further assistance that the Government could give to victims of the earthquake?

6.7 pm

Mr. Mark Oaten (Winchester): I, too, shall be brief, so as to allow other hon. Members to speak. I want to raise three planning issues on which the Government need to step in, to take account of the frustrations experienced by many local authorities and the constituents of many hon. Members when dealing with such matters. We need Government action.

The first issue relates to planning for mobile phone masts and to points made earlier. I agreed entirely with the comments of the hon. Member for West Chelmsford (Mr. Burns)—at least, until he started talking about by-election results. There are considerable concerns in my constituency. Objections to the siting of phone masts have been made by action groups such as the Byron avenue action group and by a large number of villagers in my own village of Bramdean. At present, the policy is a mess; up and down the country, the four main providers submit applications week by week and no strategic consideration has been made of how local authorities can handle them.

We have the bizarre situation that some masts, below a certain height, do not require full planning permission, so the system can almost be bypassed. Conflicting advice and messages are received on health. Sometimes the message from the Government is that local authorities should take a precautionary approach, but there are no

provisions in planning law to enable them to enact such an approach so as formally to take account of health concerns. Throughout the country, test cases take conflicting views. With the development of new technology, we have the prospect that, within two or three years, houses will be built with small masts in their attics.

Will the Parliamentary Secretary, Privy Council Office reconsider the Government's proposed solution? They have suggested a voluntary code, but that is not the best way forward. In any case, the code needs strengthening. We need a system that encourages and makes much easier the shared use of sites. We must clarify what is meant by a precautionary approach for local authorities; that information needs to be built into the planning system. What do the Government mean by the "next stage" of health concerns? What will the Stewart committee investigate? When will it report? Finally, I hope that the voluntary code will exist for a trial period only and that if the industry fails to abide by it, the Government will consider tougher legislation.

My second issue concerns local authorities' general planning and enforcement powers. I am sure that many hon. Members have concerns about local authorities' inability to take action if a business has been set up, or if someone has built on a piece of green land. The law is very weak in that area. Some individuals challenge court rulings. Others drag such issues out for many years.

In Swanmore, a village in my constituency, a saga has been going on since 1985. There have been several city council rejections of an application to convert a poultry house to residential use. There have been county court rulings against that application, and twice the Secretary of State has rejected the application, but the developers are still there, many years afterwards.

I hope that the Government will review local authorities' powers, but I understand that they have no plans to do so. They believe that those powers are strong enough already. I consider that many hon. Members would regard that stance as weak. Local authorities' powers should be greatly strengthened, because individuals who simply ignore court orders are running rings around them.

My final point relates to the problems involved in compulsory purchase and planning. Greater clarity is needed from the Government. I have in my constituency a new town called Whiteley, a lovely town. A commitment was made to build a road into the town, called Whiteley way. Everyone made contributions to that end, and it was assumed that the land could be bought for agricultural prices—about £600,000. There was then a judgment, the Kent County Council *v.* Bachelor judgment, which said that the owner of a crucial piece of land that needed to be built on could hold it for a ransom fee. As a result, that land is not now valued at agricultural prices but is worth millions of pounds. That makes it virtually impossible for the local authority to proceed and build a necessary road, which was promised to people in the area.

The Government committed themselves to a review of compulsory purchase and the cost of compensation. I understand that that review recommended that new legislation be introduced very soon to clarify the issue. To date, nothing has happened. I hope that the Minister can respond on that point.

I have been brief to allow others to contribute. I hope that if the Minister cannot refer to these issues in his winding-up speech, he will give me a commitment to allow me to come back to him on all of them.

6.13 pm

Mr. Jim Fitzpatrick (Poplar and Canning Town): I shall be as brief as I can, but that is not to lessen the importance of the issue that I raise, which is the murder of my constituent, Mr. Shiblu Rahman, who was stabbed many times in east London in the early hours of 1 April 2001. He leaves a widow and two young daughters. The Metropolitan police are treating the murder as a racist attack.

I wish to commend all those people, especially on the Lincoln estate, who have assisted the police with their inquiries, representing the whole community of east London. I wish also to express appreciation to the authorities for their sensitivity in handling the family's needs. Visas were provided for family members from Bangladesh. The local authority, the London borough of Tower Hamlets, considered the rehousing needs of the widow and her children. Support was also given by other authorities.

I wish to register on behalf of the family a number of concerns. I have already written to Chief Superintendent Rose Fitzpatrick—no relation—who is commander of the Metropolitan police in Tower Hamlets, who have good communications with the family. Indeed, the local commander, Mr. Smith, met the family yesterday and a liaison officer was appointed very early on. I have also written to the chief executive of the London ambulance service, who has responded by fax today, advising me that he will respond to the issues that I have raised with him, hopefully tomorrow.

The family have many concerns. Some have been addressed by the Metropolitan police, but others require answers. The meeting between the Metropolitan police and the family yesterday has resulted in the Met promising a full response within three weeks to a number of the issues raised, such as why no family members were allowed into the flat that Mr. Rahman managed to reach before he was transported to hospital, to assist in translating and taking evidence, and the fact that Mr. Rahman was not taken to hospital by the police or family members before the ambulance arrived.

The family's other main concerns include the time that the ambulance took to arrive, which was estimated at between 31 minutes and an hour, depending on different accounts; that no family member was allowed to travel with Mr. Rahman in the ambulance to the Royal London hospital; and, of course—finally and most importantly—whether earlier arrival at the hospital might have saved Mr. Rahman's life. They are reasonable, but angry questions from a very distressed and close family.

As I said earlier, Mr. Rahman, who was only 34, leaves a widow and two very young children. Those responsible need to be caught and prosecuted, and justice, as ever, not only needs to be done, but be seen to be done. The questions that I have asked must be answered. Clearly, from the evidence that I have received, the police have learned lessons from the Macpherson inquiry, but there are still issues to be addressed, and the London ambulance service has to address the serious questions that it has been asked.

[Mr. Jim Fitzpatrick]

I know that the House will condemn the murder of my constituent, Mr. Shiblu Rahman—a decent, ordinary, working member of our community. We certainly collectively condemn racism and expect the best and most sensitive treatment of his dependants.

I raise this matter to express my condolences to the family, to reassure them that their concerns will be addressed, to put down a marker that the serious questions that they have asked must be answered to their satisfaction and to give notice that I will naturally seek a full Adjournment debate at the appropriate time further and fully to examine the serious issues that have been raised by this heinous crime and to ensure that the safety of all my constituents is foremost in Poplar and Canning Town.

6.16 pm

Mr. Peter Viggers (Gosport): There is increasing frustration and anger among perceptive commentators about the manner in which the Government are treating Parliament, and the situation this afternoon is indicative of that. First, the Prime Minister defers the local elections theoretically to concentrate on foot and mouth disease, and then the Government announce an extremely long Adjournment at Easter in a week when five separate programme motions—or guillotines—have been tabled for five separate measures. The truth is that the Government do not really think that Parliament has a role in a crisis.

I was talking to a Cabinet Minister in a corridor last week. I congratulated him on the fact that he had been in the Chamber briefly when one of his junior Ministers was taking some business through the House and said that it was a pity that Cabinet Ministers could not spend more time in the Chamber, to which the Cabinet Minister replied, "I can't sit in there; we've got a country to run." How different from what happened under the Government formed by Mrs. Thatcher—as she then was—when the Falkland islands were invaded and it was decided that Parliament should sit on a Saturday to debate the issue.

This Government's attitude seems to be that if hon. Members sit back and allow the Government to get on with their business, they will run the country and get it right. I want to raise an issue that the Government have not got right. If the Government were to listen to Parliament and if Parliament were available for the next week or so, it would provide a better opportunity for hon. Members to debate the issue.

I heard with disbelief yesterday that it was intended to bury the carcases of slaughtered animals at Romsey in Hampshire. Hampshire is not affected by foot and mouth disease, and the last thing that local people want is their county to be infected with it. Clearly, if carcases are to be brought into the county and buried at Romsey, there must be such a risk, however detailed the arrangements to stop the infection spreading.

Immediately on arriving at the House, I went to the Table Office and asked to table a question for priority answer. I was told that, as the House was rising today, the earliest date on which my priority question could be answered was 23 April. So I have to wait all that time to find out whether animals are to be buried in Hampshire. I then went to my office and discovered that the Minister for the Environment had written a letter to the chief executives of the local authorities on Wednesday 4 April, but that it was not sent to hon. Members until 6 April—a Friday, which all my hon. Friends know is the day on which Ministers publish answers that they do not really want people to read. Although the information was available on 4 April that the Environment Agency intended Squad wood, Salisbury road, Romsey to be an approved licensed landfill site to be used for burying carcases, Members were not told until the Friday of that week, and received the letter on the following Monday.

There have been developments. Hampshire county council has of course taken the matter up with the Environment Agency. The company in question has objected to the Department of the Environment, Transport and the Regions and been given a verbal assurance that the Romsey site will probably not be used. The Environment Agency says that it is "highly unlikely" that it will be used, at least in the short term. If it is used at all, it will be for local animals and every carcase will come in an individual body bag, disinfected and with all precautions taken.

There has been a huge number of calls from people in Hampshire expressing absolute disbelief that Romsey is to be used for the burial of carcases. It is appalling that the county council, despite having done all it can, has no influence to stop that. If the Government say, by diktat, that the site is to be used, it will be used. On behalf of the people of Hampshire, I ask for the same assurance that was given to the people of West Sussex, where county council leaders have been told that the disposal of carcases in landfill sites in the county will cease immediately and that there will be no further disposal without consultation.

Will the Government give an assurance, through the Parliamentary Secretary, that the notice from the Minister for the Environment will be withdrawn, and that there will be no further imposition of carcases on landfill sites in Hampshire until there has been further discussion?

6.21 pm

Mr. Stephen Hepburn (Jarrow): I am delighted to have the opportunity to raise the issue of coal health compensation on behalf of the retired miners in my constituency and elsewhere. My constituency had a great tradition of coal mining, as did the north-east as a whole, before the previous Government got their hands on it and destroyed what had been a great industry.

I congratulate my hon. Friend the Minister for Energy and Competitiveness in Europe on the determination that he has shown. He has demonstrated that he will succeed in getting compensation for the miners. I praise the Government for their attitude to the matter. They are responding to the miners' claim for justice, which the Tory Government and British Coal resisted for years. In January 1996, my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) asked the Tory Minister to introduce a miners' compensation scheme, only to be told that their health problems were due mainly to smoking.

As we know, this compensation claim is the biggest in British history, with more than 142,000 claimants. I was proud when the Labour Government accepted it without question and made billions of pounds available to the miners who had done so much service for British industry. By taking the workers' side for once, a Government have

turned industrial relations around. We remember how the previous Government treated the miners, and the miners will never forget it.

In my constituency, 499 miners with respiratory diseases have made claims. Sadly, 13 of them died before they could receive their entitlement, and only 87 have received full settlements up to now. That is a success rate of less than 20 per cent., which is unacceptable. We are talking not about statistics but about real people who want their entitlement to make life easier for themselves and their families.

I have contact with almost 100 of those miners when I meet them in my surgery or at the local shops. When they talk to me in that wheezing tone, it breaks my heart to see how the health of men who were once big, strong and fit has been affected to such an extent that normal life is impossible for them. That is why I support the campaign instigated by my local newspaper, the South Shields *Gazette*, and its editor, Rob Lawson, to get an additional testing centre based in south Tyneside.

In discussions with Ministers and their officials earlier today, I discovered that there are a total of 10,290 live claimants in the north-east. Almost 80 per cent. have had the appropriate tests at the centres in Newcastle and Durham. The Government have provided a domiciliary service to test housebound miners in their homes. We can therefore conclude that the vast majority of miners have passed through the first gateway. However, a testing centre in south Tyneside would be convenient for the small number who are left and their families.

The campaign has the support of my predecessor, my noble Friend Lord Dixon of Jarrow, and my right hon. Friend the Member for South Shields (Dr. Clark). We have already met my hon. Friend the Minister for Energy and Competitiveness in Europe and we were delighted with his response. He said that resources were not a problem in ensuring that miners received what they were entitled to. There were no budgetary constraints and money was not an issue, so the possibility of establishing an additional testing centre would be investigated.

However, the real problems with the scheme are the legal complexities and the lack of respiratory specialists. Legal problems are holding up the claims and, after a lifetime in the pits, that is not what miners want to hear. With their lives destroyed, they have to wait for payments while lawyers argue. Each time the Government try to speed up or improve the process, both sets of lawyers must agree. Hundreds of millions of pounds must be going in fees to lawyers while more miners die every day.

Is it not nonsense that miners who have already been diagnosed with bronchitis and emphysema have to go through another medical to satisfy the lawyers? Those miners have already been diagnosed and been awarded the industrial injuries benefit, but they have to wait in a queue. We all know that that is part of a court judgment, but the dying men in my constituency do not want to listen to court judgments. Why cannot the lawyers accept existing medical records, as they do for deceased claimants?

The shortage of respiratory specialists is another major problem that is delaying full settlements. I applaud the actions of my hon. Friend the Minister in ensuring that the oldest and most ill are given priority. I know that the younger and fitter miners in my constituency who find that their appointments have been rescheduled will agree that the older men who cannot breathe should go first. I would also like to appeal to specialists—whether they are retired, working in the private sector or in the NHS—to come forward to give extra of their time to a great cause.

The Government's efforts are there to be seen. They have tried to recruit more specialists, given priority to the sickest and oldest miners, given widows special priority payments, offered domiciliary procedure for the housebound and IRISC, the Government's insurer, is employing 340 people to deal with the cases. That means that more than 1,000 people are being processed each week. In the north-east, more than £77 million has been paid out and, over the next six months, an acceleration in the process means that an additional £68 million will be paid out.

The Tories will never be forgiven for destroying a great industry and we should never forget the debt that we owe to the miners and to the widows who nursed them at home when they were sick. They deserve justice and the Labour Government are determined that they will receive it.

6.27 pm

Mr. David Amess (Southend, West): Before the House adjourns for the Easter recess, I wish to raise a number of quick points.

The first is about housing stock transfer. The Labour Government encouraged Southend to run a ballot on its 7,000 properties, and that ballot took place a week ago. Some 68 per cent. of those eligible voted and 49.2 per cent. voted for and 50.8 per cent. voted against. When the ballot was set up, the Liberal Democrats and the Labour party controlled the council and it seems that certain elements have undermined the ballot by talking about fat cats and the rest of it. Unfortunately, the result of the ballot has left Southend council tax payers in a difficult position. People will be made redundant and the £59 million that was available to refurbish the housing stock appears to have gone by the by.

My second point is about the exclusion of pupils from schools. It is extraordinary that the Government set targets for the number of youngsters who are excluded from school without having set up any alternatives as to how we educate those young people. The most shocking aspect concerns circular 10/99. As a result of the circular, young people can bring drugs to schools. The headmaster might expel them but, if the young children have not sold the drugs, but just passed them on, parents can appeal against the expulsion and the youngsters can be reinstated. I will not name names, but two pupils in two different schools have been reinstated, which has completely undermined the authority of the headmasters involved. The leader of the secondary heads union in Essex recently wrote to hon. Members who represent that county's constituencies about the shortage of teachers and the pressures that they are under. Is it any wonder when one considers the undermining effect of circular 10/99?

On the police issue, time after time, Southend puts in bids for closed circuit television which are not approved because they are not of good enough quality. I want to know what we have to do to produce an acceptable bid. The chief constable tells me, "It doesn't matter, David, that there aren't as many police as there used to be since we have had this Labour Government because we've got the new technology to try and catch the criminals."

[Mr. David Amess]

However, for whatever reason, we have not been successful in those bids. The latest wheeze is that police officer numbers are being increased by Home Office recommendations which say that if no places are available at training colleges, officers will work out their five weeks at police stations. That will happen in Southend and they are included in police numbers.

As for the Palace theatre in Southend, I was delighted when it reopened because it is marvellous. But here we go again—our request for a grant was turned down. For some reason, the Eastern arts board does not understand the quality of the wonderful productions that take place there.

Finally, on transport, there have been many complaints about the local Arriva bus services, with which there are problems. The company has cut services and increased prices, and the low-rise buses are no longer available. I am also concerned about the c2c rail service. When the Conservative Government decided to reorganise British Rail, I was delighted that the Fenchurch Street service was going to have new rolling stock. Unfortunately, under the Labour Government new rolling stock has been delivered which cannot be used. I hope that Ministers will do something about transport and other problems in Southend because we do not recognise the rosy picture painted by the hon. Member for Telford (Mr. Grocott).

6.32 pm

Valerie Davey (Bristol, West): I want briefly to acknowledge the important contribution that the Government have made to improving not only the levels of employment in this country, but the quality of the terms and conditions of service. I also want to mention an issue that I hope the Labour Government will tackle after the next election.

Bristol, West has never registered as a deprived constituency, but unemployment has been a significant factor for many years in some areas. During the past four years, unemployment has fallen by 45 per cent. More importantly, thanks to the new deal, the number of 18 to 24-year-olds who claim benefit for more than six months has fallen by 87 per cent. It is good to know that in my constituency and throughout the country, more young adults are beginning to achieve. Doors are opening for them when previously they had been slammed shut and they are beginning to direct their own lives. Those successes are a huge plus for this Labour Government.

The Government's achievements, however, are about much more than the unemployment level. They have introduced the national minimum wage. That especially affects women and has been increased to £4.10. They have also introduced four weeks' paid holiday, equal rights that are proportionate for part-time workers, an extension of maternity leave to 18 weeks and parental leave of three months within the first five years of parenthood. In addition, they have restored trade union rights—especially at GCHQ—if there are 21 or more staff and the majority wish it. The much tougher approach to health and safety has reduced accidents at work.

The Disability Rights Commission Act 1999 and the commission have been added to the Sex Discrimination Act 1975, the Equal Pay Acts and the Race Relations Acts. "Yes," we might say, "that is huge step forward. What more do we want?" People come to my constituency surgeries who are concerned, not just about fairness at work, but dignity at work. If hon. Members think they have heard that phrase before, they are right. Legislation was originally introduced in the House of Lords in December 1996 by Lord Monkswell to tackle the extremely important issue of bullying at work which, unfortunately, we have been unable to address in this Parliament.

Legislation on fairness goes a long way, but people are still coming to my surgery who have been sidelined and overruled. Inexplicably, their contracts have not been renewed, they have been passed over for promotion and, puzzlingly, they have been proposed for redundancy. That is not just a bad day at the office; people's careers have been stunted, their personal lives turned upside down and, worse, they have suffered prolonged periods of physical and mental illness. Bullying, which we often associate only with school, is still, sadly, prevalent in the workplace. The trade unions were stringent in taking that up years ago; between 14 and 53 per cent. of people interviewed recognised that they had been bullied. The Trades Union Congress launched a campaign in October 1998; in 1995, the Manufacturing Science and Finance Union contacted 140,000 people in a survey and found that 30 per cent. of those interviewed considered bullying to be a significant problem. I want to pay special tribute to Chris Ball, an MSF officer, for the work that he has done, and continues to do, in promoting that area among his members and the wider work force.

The Dignity at Work Bill was introduced and completed its passage through the House of Lords. It was introduced in the House of Commons by my hon. Friend the Member for Walthamstow (Mr. Gerrard) then, sadly, received no further attention. However, amendments were tabled in Committee, and the measure provides the basis for an important new Bill. Following amendment in the Lords and in Committee, the Dignity at Work Bill stated that employees had their right to dignity at work breached if they experienced

"behaviour on more than one occasion which is offensive, abusive, malicious, insulting or intimidating"

or

"unjustified criticism on more than one occasion".

That right was also breached if punishment was

"imposed without reasonable justification"

or if

"changes in the duties or responsibilities of the employee to the employee's detriment"

were inflicted without reasonable justification.

I am sure that my constituents welcome the work that the Government have already done but, certainly on the basis of casework that I am dealing with in my surgery, they look to the next Labour Government to introduce a dignity at work Bill.

6.38 pm

Mrs. Angela Browning (Tiverton and Honiton): As is traditional, the majority of Members who have contributed to today's debate have raised a wide variety of matters to do with their constituencies. Some contributions have concerned genuine life-and-death matters, and the House listened with concern to individual cases with which Members are dealing. Those cases could

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not have been heard by a more responsive member of the Government, and I know that the Parliamentary Secretary, Privy Council Office will certainly follow them through.

During the Christmas Adjournment debate, I recall awarding my hon. Friend the Member for Southend, West (Mr. Amess) the prize for the most innovative contribution. He packed in a lot today, and I am at a loss to understand why his constituency—which, I am sure, is most deserving—fails to attract bids for closed circuit television, let alone its excellent theatre. I can only urge him to keep trying; I am sure that he can think of something.

The hon. Members for Halifax (Mrs. Mahon), for Telford (Mr. Grocott), for Winchester (Mr. Oaten) and for Bristol, West (Valerie Davey) and my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) all made speeches that related to their constituencies.

The speech of the hon. Member for Cleethorpes (Shona McIsaac) was fascinating, particularly as it included visual aids. I am reminded of the poem by my namesake about the problem with rats. It occurred to me that if the hon. Lady arranged for them to be rounded up and brought here, they might make some friends. *[Interruption.]* I was thinking of Portcullis House and not of Members on these Benches.

The situation that the hon. Lady described sounds terrible. I was tempted to suggest that the rats should be trapped, but I realised that the hon. Member for West Ham (Mr. Banks), who has left to participate in his wedding anniversary celebrations, might not have approved. None the less, the hon. Lady's speech was very interesting. She takes the prize this time for the most innovative contribution to our debate.

The right hon. and learned Member for Orkney and Shetland (Mr. Wallace) also raised a local matter. Although I am sure that it was not his swan-song in this Chamber, we realise that time is running out and that perhaps we shall not be able to hear him speak all that frequently in future. We wish him well with his constituency problem and in his future elsewhere.

The hon. Member for North-East Derbyshire (Mr. Barnes) also raised very important issues; he always takes the opportunity of these debates to raise matters of great importance. The emergency that he described was of great concern. I know that the Parliamentary Secretary will have listened very carefully to it.

My hon. Friend the Member for West Chelmsford (Mr. Burns) raised the question of masts and went on to address planning matters. I have total sympathy with him on the latter point, as I have a similar problem in my constituency with excessive housebuilding on greenfield sites—yet again with the approval of the Liberal Democrat party.

My hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) made a thoughtful contribution to the debate. He described a very sad constituency case and went on to deal with matters to do with young people and how this House should address the challenges of making policy on them. He has also announced that he will retire at the election. We shall certainly miss speeches such as that he gave this afternoon.

The hon. Member for Hayes and Harlington (Mr. McDonnell) raised two very sad and tragic cases. The hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) also raised local issues, as did the hon. Member for Jarrow (Mr. Hepburn). I will not be drawn into a party political response to the hon. Member for Jarrow, although I remind him in respect of his comments about the Conservative Government that the Labour Government are taking the matter forward only because there has been a High Court judgment. The hon. Gentleman will know that High Court judgments must be applied, whichever party is in power. We welcome the fact that the Labour Government are taking the matter forward, but it is not of their own volition. The matter was tested first in the High Court. I am sure that the hon. Gentleman knows the background to that as well as I do.

Other hon. Members raised matters concerning important issues outside these shores. The hon. Member for Tooting (Mr. Cox) began the debate by addressing the difficult and on-going problems of Cyprus, about which I know he has much knowledge, which he wanted to share with the House again today. The hon. Member for West Ham, who, unfortunately, is not in his place, raised the way in which Canadian seals are culled. I know that that subject is close to his heart. The hon. Member for Finchley and Golders Green (Dr. Vis) raised the tragic situation surrounding the earthquake in Gujarat, which clearly affects many of his constituents.

Conservative Members raised matters to do with foot and mouth, which is hardly surprising. My hon. Friend the Member for Chipping Barnet mentioned that not just people living in the countryside are very concerned about the tragedy and crisis that have struck us. We also heard from my hon. Friend the Member for Ludlow (Mr. Gill) on the subject, in which I know he is well versed.

From the contributions of my hon. Friends the Members for Teignbridge (Mr. Nicholls) and for Banbury (Mr. Baldry), we sensed their frustration about getting answers in time, which many of us have shared in the past few weeks. When there is a crisis of any kind, the relevant Government Department is besieged with dozens of letters and questions. My hon. Friends made it clear that if, in a crisis such as the present one, Members of Parliament cannot get answers and our intervention in individual cases in our constituencies are not dealt with in 24 or 48 hours, there may be dramatic consequences. Cattle may be slaughtered unnecessarily. Sheer frustration has been the hallmark of the past few weeks for Members of Parliament who wanted quick answers to pressing and urgent matters.

Mr. Nigel Evans (Ribble Valley): Will my hon. Friend give way?

Mrs. Browning: No. I am sorry to disappoint my hon. Friend, but I have only 10 minutes and it is not customary to give way in winding-up speeches such as this.

In his initial comments, my hon. Friend the Member for Gosport (Mr. Viggers) spoke of the changes to our procedures that are taking place in the House, which deny hon. Members the opportunity properly to debate, question and scrutinise the proceedings of the House. As shadow Leader of the House, I have made known my own concerns about that. My hon. Friend went on to speak of foot and mouth, the disposal of carcases into landfill and his frustration at not being able to use normal procedures in the House, and the frustration outside at the failure to get answers to a problem there.

[Mrs. Browning]

Unfortunately, we were not able to hear contributions from all those who wished to speak, which is a mark of the interest of hon. Members in such debates. If, by chance, there is to be a general election on 7 June, there are still matters related to foot and mouth and other subjects in their constituencies that hon. Members will want to discuss in the few weeks remaining after the House returns on 23 April. On behalf of the official Opposition, I make a request through Madam Deputy Speaker for Ministers to come to the Dispatch Box to respond, and for bids from hon. Members for Adjournment debates to be favourably received during those few weeks. I know that many hon. Members would not want to go from this place into an election without receiving answers to serious issues such as those that have been raised in all parts of the House today.

6.47 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): We had 21 speakers from the Back Benches and I, too, am disappointed that not every hon. Member who wished to speak in the debate had the opportunity to do so. A large number of points have been made and it will not be possible for me to deal with them all this evening, but I give an undertaking that I will draw them to the attention of Ministers and try to get written responses to the many questions that have been asked.

It has been speculated that this might be the last Adjournment debate before the general election. I know nothing of that and nothing of timetables, but we had the opportunity to hear what may be a last speech from my hon. Friend the Member for Telford (Mr. Grocott), from the right hon. and learned Member for Orkney and Shetland (Mr. Wallace) who, because of other commitments, has limited opportunities to make presentations to the House, and from the hon. Member for Faversham and Mid-Kent (Mr. Rowe). Whatever happens, I wish them all well.

A number of my hon. Friends and other hon. Members raised individual cases. My hon. Friend the Member for Halifax (Mrs. Mahon) spoke of the Perrett case; my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) raised the case of Mr. Rahman; and my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) raised two constituency cases. I know that my hon. Friends are all outstanding campaigners who will pursue these matters with vigour. Whatever I can do in a personal capacity to assist them, I will do. In response to my hon. Friend the Member for Hayes and Harlington, I believe that one of the things that we could best do in the NHS is to encourage professionals and hospital trusts to convene a meeting quickly when matters go wrong and to make an early apology. A great deal would be resolved if the professionals took that suggestion seriously. I heard what he said about involving more lay members in those procedures; again, I think that he is right.

The right hon. and learned Member for Orkney and Shetland spoke about an issue that he has pursued for many years. He said that it was unfinished business, and I hope that we can move towards resolving it, although I point out again that arbitration and mediation would be more appropriate than legal processes. He mentioned the compensation fund, and I hope that it will be possible to get the disclosures that he seeks. He is meeting very soon the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Streatham (Mr. Hill), the Minister with responsibility for shipping, who will have the benefit of reading the comments that he made today. I shall try to ensure that his points are dealt with.

My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) again raised the issue of Biwater. He is, as ever, a doughty campaigner on the matter, but he is also keen to try to improve the environment in north-east Derbyshire. He asked for the Department of the Environment, Transport and the Regions, in conjunction with others, to take measures to deal with the matters to which he referred. I think that he made a strong case, and I will do what is possible to help him.

My hon. Friend the Member for Jarrow (Mr. Hepburn) spoke movingly on a subject that is close to my heart. Indeed, it is also close to the heart of my hon. Friend the Member for Islwyn (Mr. Touhig), who sits on the Whips Bench. A great deal more needs to be done to help former miners. After all, these men gave their health and, in some cases, their lives, to keep us warm. The Government are currently paying out £1 million a day in compensation, and I believe that we will eventually pay out about £4 billion. We are dealing with the largest civil case in history, and it will take three to four years to settle it, but I promise my hon. Friends the Members for Jarrow and for Islwyn that we will leave no stone unturned in trying to speed up the process.

My hon. Friend the Member for Tooting (Mr. Cox), who often takes pole position in such debates, raised the issue of Cyprus, on which he is a doughty campaigner. The Government are committed to working with the United Nations to try to resolve the problems, despite all the difficulties.

My hon. Friends the Members for Finchley and Golders Green (Dr. Vis) and for Harrow, West (Mr. Thomas) referred to the earthquake in India, which was a tragic event. Like them, I wish to join the voluntary groups and faith groups that are working hard both in this country and in India in trying to bring some humanity into what can be described only as an appalling situation. My hon. Friend the Member for Finchley and Golders Green asked for all the Government's efforts to be made to resolve the problem. I give him an undertaking that we will look again to see what more might be done.

A number of planning issues were mentioned. I am keen to address them, as I share hon. Members' concerns. Housing and the erosion of the green belt are a major issue. As the hon. Member for West Chelmsford (Mr. Burns) recognised, the Government have made proposals to build more on brownfield land than on greenfield land. We propose that 60 per cent. of building should occur on brownfield sites. In my area in the east midlands, two out of every three new houses will be built on brownfield sites. That contrasts with the record of the previous Government, under whom one out of every three houses was built on brownfield land. We must do more to work on brownfield sites and to adopt a sequential approach. As he rightly said, the reclaimed land in his area should be developed first, before there is erosion into greenfield land and into the green belt. That is the Government's intention.

The hon. Gentleman also mentioned telecommunications masts, on which he was supported by the hon. Member for Winchester (Mr. Oaten). I remind both hon. Gentlemen that my right hon. Friend the Minister for Housing and Planning gave an indication only last month of the new regulations that the Government intend to introduce. It is important that masts of under 15 m in height are part of the planning regime. It also important that we adopt a precautionary approach and that more money is spent on research. After the work of the Stewart committee, an extra £7 million has been spent on research. I acknowledge that there are difficulties in this area. We all want the benefits of telecommunications, but the downside is sometimes difficult to anticipate and perhaps we should have a more strategic approach to the matter.

The hon. Member for Winchester also mentioned the vexed issue of enforcement powers for local councils. I think that he has a point. There is a real problem when villains play the planning system, and I hope that we can do more. The hon. Gentleman also talked about compulsory purchase and said that not a lot had been done. There has been a major consultation exercise and a working party, and the Government have asked the Law Commission to consider the issue with the aim of bringing forward legislation as soon as possible.

Not surprisingly, many hon. Members referred to the foot and mouth outbreak. The hon. Member for Banbury (Mr. Baldry) spoke movingly about the real problems in Oxfordshire. He clearly knows the problems, and I hope that, in areas such as his where there has been one outbreak and where the infection now seems to be under control, we shall be able to lift the restrictions. The hon. Gentleman or one of his hon. Friends said that it is easy to impose restrictions but that it is often more difficult to lift them, and we now need to try to move forward.

I was delighted with the comments made by the hon. Member for Chipping Barnet (Sir S. Chapman) about foot and mouth being an urban and a rural problem. He is right. The issue affects small and big businesses, and those who try to divide town and country communities on the issue are being short-sighted

The hon Member for Ludlow (Mr. Gill) rightly said that import control was a major issue, and I agree. There are strict laws and regulations and severe fines, but we must ensure that we have the resources to implement them. We need more Customs and Excise officers. We are acting on that, but the hon. Gentleman is right to ask us to do more.

My hon. Friend the Member for West Ham (Mr. Banks) is no longer with us; he has gone to have fun and frolics with his wife. He entertained us before that, but I shall save time for his comments later.

The hon. Members for Teignbridge (Mr. Nicholls) and for Gosport (Mr. Viggers) made slightly different points, but let me chastise them. The Conservative party has called for landfill to be used for the disposal of carcases. Their party wants a quick solution to the problem and believes that landfill should be used. The Environment Agency and others have been consulted. It may well be the case that some sites, as the hon. Member for Gosport clearly recognises, have been approved but will not be used, but it will be important that all of us, from whatever part of the country, play our part in sorting out the problem. The hon. Member for Teignbridge asked for his letter, but the Minister is in Sweden. I promise him a reply soon.

Several hon. Members have talked about achievement. My hon. Friend the Member for Bristol, West (Valerie Davey) talked about unemployment falling and the hon. Member for Faversham and Mid-Kent talked movingly about the importance of commending young people. Let me commend him on his work with the UK Youth Parliament. We should commend success, not criticise failure quite so much.

My hon. Friend the Member for Cleethorpes (Shona McIsaac) talked about the East Ravendale school, and we await some success there. Outside toilets are disappearing all over the country, as are mobile classrooms. I am pleased that the Minister for School Standards has now joined us because she is to make a major speech during the Easter recess on further capital investment in our schools. I wish my hon. Friend the Member for Cleethorpes well.

The hon. Member for Chipping Barnet talked about the need for extra investment in the NHS and the police, and he fairly recognised that it was beginning to happen. My hon. Friend the Member for Telford talked about what has happened in his community under Labour, and I was struck with the 50th anniversary of the NHS in Lichfield.

We now need to go forward, to invest in public services and in a vision of the future. We shall do that.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Marjorie Evans

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Touhig.]*

7 pm

Mr. Huw Edwards (Monmouth): I am pleased to have the opportunity to draw hon. Members' attention to the case of my constituent, Marjorie Evans. Mrs. Evans lives in Usk, in Monmouthshire. Since 1987, she has been the head teacher of St. Mary's school in Caldicot. The school has more than 200 pupils and includes a special needs unit. Although the school is in Monmouthshire, it is in the constituency of my right hon. Friend the Member for Newport, East (Mr. Howarth).

Mrs. Evans recently returned to school after an 18-month suspension. Her case has been lengthy and controversial, but the school is not in my constituency and my involvement was therefore limited to supporting Mrs. Evans as a constituent and making representations on her behalf after the conclusion of the case.

I appreciate that ministerial responsibility for the school and for Monmouthshire education authority lies with the National Assembly for Wales. However, I am sure that my right hon. Friend the Minister for School Standards will acknowledge that the case has national significance and implications for education and the teaching profession in England and Wales. My aim in the debate is to highlight some of the wider issues that arise from the case and its implications for education. First, I want to examine the background.

I was first aware of the Marjorie Evans case when it was reported that the stipendiary magistrate in Abergavenny had suggested that Mrs. Evans could face a custodial sentence for assault. It was alleged that she had slapped a pupil who was being disruptive. The pupil was known to suffer from behavioural problems and had been prescribed Ritalin. The conviction and the three-month suspended sentence caused considerable public disquiet. Mrs. Evans appealed against the conviction and the case was heard in Cardiff Crown court. She was cleared of all charges. There was considerable public relief at the overturning of the conviction, and Mrs. Evans walked from court with her reputation restored, ready to return to school.

Immediately afterwards, however, the police stated that further charges were being investigated and that Mrs. Evans remained suspended. The matter was considered at considerable length by Gwent police, the Crown Prosecution Service, the board of governors and Monmouthshire county council. It was concluded that

"there was no credible evidence against her",

and she was able to return to her position. There was another wave of relief and, indeed, joy when Mrs. Evans returned to St Mary's school. It was a great pleasure to speak to her on the phone with the happy noise of the school in the background.

I met Mrs. Evans at her home in Usk after the magistrates court case in Abergavenny. She was with her local National Union of Teachers representative, Andrew Haig. Mrs. Evans has been represented throughout the case by her union, and credit must be given to Gethin Lewis, secretary of NUT Cymru, and the NUT solicitor, David Evans.

Mrs. Evans had been found guilty of assault and her reputation had been besmirched by the comments of the stipendiary magistrate, who claimed that she had been a disgrace to the community, the teaching profession and the pupils in her care. The legal aspects of the case merit a separate Adjournment debate. This evening, however, I shall concentrate on its educational implications.

My impression of Mrs. Evans at the time was of someone who was dedicated to the education and care of children; she had been in teaching for more than thirty years. Not only had her career been brought to a shuddering halt by the allegations against her, but she faced the possibility of a jail sentence and the end of her career. Mrs. Evans is a remarkably strong person who was intent on clearing her name and returning to school, but nothing would ever be the same again.

Mrs. Evans has come to personify every teacher's nightmare and she has endured what every teacher dreads. She wants to ensure that no other teacher has to go through a similar ordeal again. She has come through it, yet serious questions remain.

Four key issues arising from the case deserve to be considered. They are the management of disruptive pupils and the exercise of reasonable restraint; the automatic suspension of teachers subject to allegations by pupils, parents or even fellow staff; the need for guidance to local education authorities and governing bodies on dealing with allegations of abuse; and the disciplinary process for dealing with teachers adopted by governing bodies and LEAs. I shall outline some of those issues in more detail.

It is an unfortunate aspect of teachers' role that they have to deal with disruptive pupils. In certain cases, that behaviour may be violent either towards members of staff or to pupils. Where teachers have to restrain pupils, there is clearly a problem of defining what reasonable restraint is. It is a legal duty of head teachers to maintain order, yet to do so they require the power and resources to meet the expectations of society and their legal responsibilities. It is a matter of considerable concern throughout the teaching profession, and the profession deserves clear national guidelines that apply to England and Wales and that are applied consistently.

The case also raises the question of exclusion for persistently disruptive pupils and the resources that are necessary to continue those children's education outside the mainstream education system. There is in Monmouthshire no pupil referral unit for pupils at key stage 2 who are boys between the ages of seven and 11. There is no provision whatever for girls of any age.

I am a member of the Welsh Affairs Committee, and during our recent inquiry into social exclusion in Wales we visited a pupil referral unit in Denbighshire, where excluded pupils were able to continue their education and receive the specialist support that they needed. It would be ideal if such provision were available in all authorities. It is a matter that the Government should look into.

Teachers are in a unique position, as the primary responsible adults with whom children come into contact outside the home and who are in a position to detect signs of abuse. Yet their daily contact and caring role makes teachers vulnerable to accusations of abuse by pupils, parents or even staff. Such allegations may be false, malicious, misplaced or misinterpreted. I ask my right hon. Friend the Minister for School Standards to consider whether it is appropriate for a teacher to be automatically

suspended when the allegations are of low-level physical abuse. Such teachers are suspended on full pay. That is intended to be a neutral form of action, yet in reality it rarely is.

Even where teachers have been exonerated, their careers have been ruined by the stress of months of suspension, and pupils have been denied the skills and support of the teacher who has been so suspended. There is no question but that teachers should be automatically suspended in cases of suspected sexual abuse or where there is evidence of serious physical harm. The key question is whether it is appropriate automatically to suspend a teacher who is subject to an allegation when there has been no investigation of the teacher's viewpoint.

The next point concerns the availability of expert advice. Do local authorities have access to specialist advice in such cases? Can they remain impartial when giving advice? Teachers who are suspended have to prove that they are innocent; that is quite different from the usual process of law. It is proposed that there should be agreed national guidelines across England and Wales to assist LEAs and governing bodies to investigate allegations before they consider suspension.

We owe a great deal to the people who sit on governing bodies. They give of their time voluntarily, but they take on immense responsibilities for the running of the school. They need support, advice and training to help them carry out such a difficult task as being involved in disciplinary action against teachers. There was considerable public concern in Marjorie Evans' case about why it took 18 months from her suspension to her return to school. She had to go to the High Court to require Monmouthshire county council to reveal the allegations against her and which disciplinary procedures it was following.

I understand that Jane Davidson, the Minister for Education and Lifelong Learning in the National Assembly for Wales, has ordered an inquiry into the process and has invited the county council, the NUT and the governing body to respond. These issues were raised at a conference in Cardiff last November, called by the NUT to discuss best practice in dealing with allegations of abuse against teachers. I met Mrs. Evans at the conference. These issues are likely to be raised again at the NUT national conference in Cardiff this weekend, which I also hope to attend. I understand that my right hon. Friend the Secretary of State for Education and Employment will attend, too, and may make a statement pertaining to the implications of the case. Recently, I was pleased to welcome him to my constituency and to King Henry VIII comprehensive school in Abergavenny, where he heard of the support of the teachers of Monmouthshire for Marjorie Evans. He has been an inspirational figure, and I hope that he will be able to look at those issues in some detail.

Our teaching profession plays a vital role in the education and welfare of children and young people. I commend teachers' dedication, skills and professionalism. They deserve protection from the threat that their careers could be ruined as a result of false or malicious allegations. Pupils deserve the opportunity to be taught and to study in a classroom undisturbed by the activities of other pupils who are disruptive or violent, whether to other pupils or to staff.

The case of Marjorie Evans has highlighted a series of issues that deserve the fullest examination. She has endured a traumatic episode. We rejoice that she has resumed her career, but lessons must be learned. I sincerely hope and believe that the Minister will be able to take on those issues in her deliberations with ministerial colleagues and representatives of the teaching profession.

7.11 pm

The Minister for School Standards (Ms Estelle Morris): I congratulate my hon. Friend the Member for Monmouth (Mr. Edwards) on securing this debate. Adjournment debates are traditionally occasions when hon. Members bring concerns of individual constituents to the attention of Ministers and the House—and long may that continue—but I am not sure that I have ever answered an Adjournment debate in which an hon. Member has talked about the case of an individual constituent that has had such wide-ranging implications for my Department's work. I thank my hon. Friend both for letting us know what has happened to Mrs. Evans and for focusing us on some difficult issues.

I do not think that there are easy answers to any of the issues that my hon. Friend has raised. People have deliberated about and discussed them for many a year. They are now perhaps further up the nation's agenda than they were previously. I suspect that that is in no small part due to the incidents that have surrounded the suspension and reinstatement of Mrs. Evans.

Having acknowledged my hon. Friend's contribution, I know that he will appreciate that I want most of all to acknowledge Marjorie Evans, her contribution to education and what has happened to her in the past 22 months. She is a teacher of long standing, high reputation and high esteem. She has been teaching for more than 30 years. If we added together the number of children whom she must have taught and the number of communities that she must have served, the total would be higher than any of us could imagine. As many good teachers who have been in the profession for as long as Marjorie Evans know, they change people's lives. I think that, when Marjorie Evans started her career, she never for a minute dreamed that she would make headline news because of these incidents.

I join my hon. Friend in congratulating Mrs. Evans on the steadfast way in which she has behaved throughout, and on her successful return to school. She has shown tremendous courage, energy and continuing commitment to her community and to the children. There will have been many who would not have withstood what she went through and still have wanted to return to school. As I said when I had the chance to spend a few minutes with her before the debate, I wish her well for her return and for September—the start of the first academic year in which she will have resumed her duties in full.

I put on the record my appreciation of the work and representation of the National Union of Teachers, the professional body of which Mrs. Evans is a member. Such bodies have many roles in our national life, but any individual teacher who is a member of a teachers' union hopes most of all that, when they need help individually in their professional life, the union will answer the call. The NUT has done that exceptionally well. I know that Mrs. Evans pays tribute to the work of the officers of the NUT in Wales. I join in recognising their steadfastness and enthusiasm in representing her.

My hon. Friend was right to say that Mrs. Evans is a teacher in a school in Wales and that this Parliament has no responsibility for what goes on in Welsh schools,

[Ms Estelle Morris]

which is properly the responsibility of the Assembly. I do not want to tread on any toes in that respect. Instead, in the time I have available, I should like to do two things. First, as I have had the opportunity to speak to my colleague Jane Davidson, the Assembly's Minister for Education and Lifelong Learning, I should like to confirm the comments of my hon. Friend the Member for Monmouth. Secondly, I should like to reflect on some matters outside the Evans case from which we may be able to learn some lessons that we can apply in England, in Wales and in Scotland.

My hon. Friend was right that Jane Davidson has confirmed to me that she has written to the local authority and the governing body seeking information on the procedures that they followed in the Evans case. The Assembly will want to exercise its power to examine those procedures, but not the specific allegations against Mrs. Evans. As one of the features of the case has been a re-examination of allegations, it is important to make it clear that the Assembly and the Minister will want to examine only procedures and not the substance of the allegations. The examination will be conducted under section 496 of the Education Act 1996 which allows examination and consideration of the reasonableness of procedures used.

The governing body and the local authority were asked to respond to the Assembly by 12 April on the procedures, particularly on the time scale allowed for decision making. I am pleased that my colleague Jane Davidson has also invited the NUT to comment on the case and its involvement in it. I understand that the school's governing body has asked for a one-week extension, to 19 April, which has been granted.

I know that, on receiving the representations, my colleague Jane Davidson will decide on possible action as quickly as possible. She will want first to decide on copying the information in the responses to each of the parties, which will be a matter for her, and then to advise the Assembly on the information. Only after completing her investigations will she want to say whether the local education authority or the governing body acted unreasonably and whether, on behalf of the Welsh Assembly, she wants to direct them to change their procedures. As a Minister in the United Kingdom Parliament I will have no involvement in those matters.

Additionally, while she is investigating those matters, Jane Davidson will quite properly neither meet Mrs. Evans nor speak on the record about them. That is how the process should properly be conducted, and I think that it is in everyone's interests that we keep that process separate from my comments on possible lessons to be learned.

As I said, the specific case is a matter for the Welsh Assembly. However, I know from my duties in the House and in relation to teachers in England that such a case could have occurred in an English school. I think that we will all want to examine the case to determine whether we can improve how such matters are dealt with.

It is hugely difficult to strike the right balance in dealing with such cases. I am not being complacent, but I suspect that whatever rules, lessons or guidance we decide we want to follow, some of the most difficult decisions that Ministers, local authorities and governing bodies ever have to make will be on such cases. However, we have to become better at making such decisions by establishing clear guidelines and ensuring that everyone understands his or her responsibilities. As I shall explain later, we particularly have to ensure that action is taken in a timely fashion.

I think that there is great agreement on the challenge facing us and that it is more a matter of striking the right balance. Regardless of what people think about Mrs. Evans's case or other cases that have come to public attention, no one—not Mrs. Evans, the school, my hon. Friend the Member for Monmouth, the Welsh Assembly, and certainly not the United Kingdom Government—wants allegations of abuse or inappropriate behaviour against children not to be investigated.

There have been too many debates in the House on cases—not least in Wales—in which allegations have not been properly investigated for us not to have learned some lessons. Some children's lives have been blighted because there have not been timely investigations. However, although the facts sometimes show that allegations are true and that there was a need for an investigation and action, sometimes the facts show that allegations are not true. When they are not true, a different set of people—teachers, teachers' families, the wider school community and the wider general community—become the victims.

That is the difficulty involved in examination of cases such as this. Once the allegations have been made, whether they are true or not, a life may be ruined unless they are dealt with in a timely and correct fashion. We must work harder to get the balance right.

Let me acknowledge something, without giving any figures. I do not think that anyone, certainly in Government, has ever said that some teachers' careers have not been blighted. As one who taught in a school for 18 years, I know what it must be like to have taught children, to have trusted them and gone to work every day to further their chances in life—to have put heart, soul and professional energy into that—then to find that false allegations have been made about one's professional conduct. I well understand what it must be like to find that one's standing in the community that is the most important to one has been put at risk. But we need to get the balance right, and there are no easy solutions in that regard.

I am especially struck by the inordinate length of time that it seemed to take to process the case that we are assessing. We need to examine the way in which such cases are dealt with and to find out why progress is so slow—why there are gaps of weeks or months while nothing is resolved. During the last 12 months, the Government have been working with a teacher and child protection group consisting of a joint forum, containing representatives of teachers' unions—including all six teacher representatives of the NUT—and representatives of local authorities. We have looked at ways of speeding up the process to ensure that any allegations of abuse are dealt with as quickly and fairly as possible.

That, I think, is how we should act. While not cutting out investigations, proper consideration, discussion with governing bodies, letting local authorities have their say and following the proper course of law, we should ensure that all those elements of justice—which we want to retain—do not move as slowly as they seemed to in the

case of Mrs. Evans. My hon. Friend is right: in due course the Secretary of State will want to report to the nation on what we have learned from our working party, and how we want to proceed on the basis of that.

Of all the lessons that have been learned, I think that the one relating to speed needs most to be considered. We should think about guidance and guidelines that suggest how governing bodies should carry out their responsibilities. Considering those who go on to governing bodies, and choose to give their time—voluntarily—to a community and a school, I suspect that not many governors imagine that they could eventually be put in this position. At times like this, when difficult decisions must be made, governing bodies—not just the governing body at St. Mary's, but governing bodies of schools throughout our countries—need support.

We should also consider whether the guidelines that we give governing bodies help them to do their jobs as effectively as they might, and whether, during that difficult procedure, they need support to carry out their functions. I do not want anyone to interpret that as a suggestion that their rights or obligations should be removed; we should ensure that they are supported as much as possible.

The process that we have been discussing has been unusually lengthy. What I have been most conscious of throughout is this: we may reflect nationally on what it means for the 450,000 teachers in our two countries, and for the 24,000 schools and 24,000 governing bodies, but at the centre of the debate is one school, St. Mary's junior school—not in my hon. Friend's constituency, but in the neighbouring constituency of my right hon. Friend the Minister for the Arts—one governing body, and one community that wants to get on with learning, teaching and furthering life chances. Over the past two years—nearly—those people have been propelled, not through their wishes or for reasons of their making, into national headlines that they did not invite.

Every teacher at St. Mary's, every parent who sent a child there and every governor who gave generously of his or her time did so not to have a debate about this issue, but to get on with the process of teaching and learning. That is the agenda on the basis of which that school can move forward. We should not forget that.

Mr. Edwards: Does my right hon. Friend agree that such disruption affects other schools as well? While Mrs. Evans was suspended as head of her school, a head from another school—St. David's school in Abergavenny—was transferred there, so that other school, too, might have been disadvantaged.

Ms Morris: My hon. Friend is right. Schools are learning communities, but they are also dependent on other schools. That wider learning community—all the neighbouring schools—has felt the impact. I have never been to an area where schools did not show generous concern about what happens to their neighbours—they are eager to give of their talents, and care when other schools are in difficulty. I readily acknowledge that.

I suspect that what is beginning to happen at St. Mary's is that relationships are being rebuilt; trust is beginning to be firmed up again; and the focus on teaching and learning is beginning to return. In relation to my hon. Friend's point, we also owe a debt of gratitude to the teachers—both the full-time staff and those who came in to help—who have kept the school going throughout 21 months of turmoil. Learning has continued: children have left and begun school during that time.

Most of all, schools want stability. They want a head who is secure in a permanent post. They want to be able to focus on teaching and learning—for children and for the wider community. St. Mary's school is embarking on that task of rebuilding and of settling down. I am sure that everyone in the House will wish the school well.

After all the turmoil that Mrs. Evans has undergone and after all the support given by my hon. Friend, perhaps something worthwhile will come out, because we too have learned lessons—both as a school service and as nations for whom education is a major service. We shall reflect on the matter. It is poor consolation for people whose lives have been disrupted, but I suspect and hope that in future cases, the lessons that we have learned from St. Mary's will be reflected. In that small way, I hope that something good might have come out of a case that has made people suffer and made them miserable for the past 21 months.

To finish on a note that will unify us, I wish Mrs. Evans well in the career that she has resumed. I thank my hon. Friend and everyone who has supported Mrs. Evans. Most of all, I wish the children, the governors, the parents, the community and the teachers every good fortune as teachers focus on what they went into the job to do—teaching the children who come through their gates.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Seven o'clock.

Westminster Hall

Tuesday 3 April 2001

[MRS. SYLVIA HEAL *in the Chair*]

Local Government Finance

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Touhig.*]

9.30 am

Mr. Keith Darvill (Upminster): It is a privilege to open this important debate on modernising local government finance and on the Green Paper on the subject that was published on 19 September. The Green Paper sought views on the Government's aims and proposals for modernising local government finance and invited responses by 8 December. More than 16,000 responses were received, which must be a record—I myself responded in detail. I look forward to seeing the White Paper later this year. While hon. Members had that opportunity to respond to the Green Paper, it is also useful for Green and White Papers to be debated in the House whenever possible. It is by such listening and debate that hon. Members can formulate ideas and opinions. Perhaps naively, one is also ever hopeful of persuading Ministers that general and specific proposals have merit and will be adopted as policy.

In addition to the broad point of principle about the opportunity to debate important issues such as this one, I was struck by the number of hon. Members who wanted to participate in the revenue support grant debates earlier this year but were unable to do so. It was disappointing that the Opposition insisted on separate debates for the special grant report and the rate support grant, leaving limited time to explore individual constituency grievances. Despite considerable latitude by the Deputy Speaker, the House had inadequate opportunity to debate this year's revenue support grant.

That small but important issue is relevant to this morning's debate. Hon. Members believe that the existing system is defective and will no doubt use this and other forums for debate to argue for changes based on experiences from their own local authority and perhaps their own experiences of local government. I hope that they will not only dwell on the defects but comment on the alternatives, particularly those set out in the Green Paper.

In his foreword to the Green Paper, my right hon. Friend the Deputy Prime Minister said:

"Our local government finance system is complex. Few people make the effort to understand it. Fewer still succeed."

I am not an expert on that system and, indeed, have not fully understood it, but I am one of those few people who have made an effort to do so. I am convinced of the need for reform. Change should not be delayed beyond the timetable required to consult, decide and legislate because there is an overriding feeling that the existing system is unfair, has created many anomalies and is in need of urgent reform.

Unison, the union to which 1.3 million public service workers—including 850,000 in local government—belong, sent me a copy of its response to the Green Paper. That response, with which I very much agree, stated:

"We believe that the system of local government finance is long overdue for reform. We welcome the general approach which the Government has adopted in relation to the issue. For too long local government has suffered from the effects of cuts in funding coupled with restraints on freedom of action. The effects of persistent neglect can be seen in declining local services and underinvestment in staffing and infrastructure. Tackling these problems will require imagination and initiative together with the resources to really make a difference."

Local authorities play different roles and provide a diverse range of public services. A substantial proportion of local authority activity effectively involves the delivery of Government-determined services, on which there is little variation between each local authority. As the Green Paper states, local government implements key national policies at local level. I expect that few right hon. and hon. Members disagree with the aims of reform: to fund all authorities adequately; to promote continuous improvement; to provide a reasonable degree of predictability and stability; to provide balanced funding for local government's delivery of national priorities and targets, with real financial freedom and responsibility; to be fair; to clarify accountability for financial decisions because, if council tax increases are excessive or services are underfunded, people should know whom to hold to account; to be intelligible and transparent; to make partnership working easier; and to encourage consultation, particularly with local taxpayers.

Some progress has been made on a number of fronts. I welcome the increased level of funding; the inbuilding of certainty with three-year spending rounds; the moratorium on changes to the grant-distribution formulae; the replacement of compulsory competitive tendering with best value and of crude and universal capping with new reserve powers; and pilot schemes for local public service agreements.

Despite those improvements, there is still much to do. As the Green Paper admits, the grant system and capital finance systems are especially complex and opaque. As I have said, the case for reform is overwhelming. Despite what the Green Paper says, the current system, which has been in place for the past decade or so, does not fulfil its single, explicit objective: to ensure that council tax bills for properties in the same council tax band are the same everywhere in England. They could be if every authority budgeted to spend in line with its standard spending assessment. Nor do I agree with the general assertion that the system has been able to cope with substantial change in the structures and responsibilities of local authorities. Paragraph 3.2 of the Green Paper sets out four weaknesses that have become apparent.

Mr. Nigel Waterson (Eastbourne): Before the hon. Gentleman moves on to the next passage of his speech, to which I am listening intently, and while he is talking about comparisons between council tax rates in different authorities, does he accept the proposition that the proper comparison is between band D levels?

Mr. Darvill: I would not say that that is the proper comparison, but it is certainly one that is widely used.

[Mr. Darvill]

First, the current system has lacked certainty. Only since the 1998 comprehensive spending review has that problem been addressed. In the past, there was uncertainty from year to year about the level of grant to expect, which hindered planning and modernisation of services. Stability and predictability are important changes for the better. Secondly, the current system gives authorities the same amount of grant regardless of what they are doing to modernise services. Thirdly, the grant system has relied too much on the mechanical use of the statistical analysis of spending. Fourthly, it does not apply any fine tuning to take account of circumstances in individual authorities. I would add a fifth weakness to those set out in the Green Paper: no account seems to be taken of the adverse historical circumstances that applied in some local authorities when the new system was introduced.

My complaints about and criticisms of the existing system are based firmly on my experience of finances in the London borough of Havering, not only in the past four years, but since the reforms were introduced by the previous Administration after the disastrous poll tax debacle more than 10 years ago. I speak from personal experience, not only as a politician, but as a governor for two local schools, an activist in the communities association in my local area, the backroom boy in the Labour party during those years and chair of the infamous local government committee in Havering.

How does the present system impact on boroughs such as Havering? First, the level of Government grant that Havering receives is one of the lowest in London. When compared with those of its neighbouring boroughs, the level of grant per head of population is significantly lower. That may sound like special pleading, which I accept to a certain extent in being an advocate for my local area. More importantly for this debate, that illustrates some of the weaknesses in the system.

For 2000-01, Havering received £578 grant per head of population, whereas Redbridge, its neighbour, received £741 grant per head—20 per cent. more. Barking and Dagenham, another neighbouring borough, received £896 per head—55 per cent. more—and Newham received £1,237, which was 114 per cent. more. I will continue to refer to those boroughs. Although deprivation levels are rightly taken into account, the structure of the standard spending assessment calculation does not reflect the pockets of deprivation in boroughs such as Havering, nor does it reflect the actual cost in, for example, the unit cost per pupil in the education SSA.

The basic structure of the SSA calculations is the number of clients multiplied by unit costs multiplied by area cost adjustment. The unit cost includes a national standard amount and a supplementary amount to reflect the assumed effects of deprivation, and sparsity or density, and the area cost adjustment reflects the higher cost of employing people and property in the area. The indicators in the formula determine the supplementary amounts that are detrimental to Havering. Although some data used in the education, social services and environmental, protective and cultural services—EPCS—service blocks are updated annually, such as the number of income support claimants, other data are based on the previous census, which was conducted 10 years ago, and have become considerably out of date.

To illustrate the detrimental effects of the formula, I refer to Havering's SSA for secondary education. The flat-rate unit is £2,306 for each pupil. The supplementary amount for deprivation is £309 for Havering, £448 for Redbridge, £549 for Barking and Dagenham, and £842 for Newham. The area cost adjustment is £283 for Havering, £298 for Redbridge, £309 for Barking and Dagenham, and £341 for Newham. The unit cost per pupil in Havering is £2,898. It is £3,052 in Redbridge, £3,164 in Barking and Dagenham, and £3,489 in Newham. The total secondary schools SSA is based on the number of pupils in the borough, which is 14,649.

I am sorry to repeat the statistics, but they illustrate an important point. If the SSA were based on the Barking and Dagenham unit cost, the total amount received from the Government would be £46.3 million. It would be £51.1 million for Newham, and £44.7 million for Redbridge. Havering receives only £42.4 million, which is £3.8 million below the Barking and Dagenham figure, £8.6 million less than Newham, and £2.2 million less than Redbridge. I appreciate that there are higher levels of deprivation in those areas, but the gap is too wide.

One can argue that it costs the same to educate a secondary school pupil in Havering as it does in neighbouring boroughs, in terms of the cost of teaching staff, staff-to-pupil ratios and school running costs. With those figures, Havering could attract £8.7 million extra in Government support on that part of the SSA alone. That is only one aspect of the formula. I could go on, because similar effects are illustrated by the EPCS service block and concessionary fares system.

The SSA formula has not reflected Havering's need to spend on local services, especially social services. Compared with outer-London boroughs in general, Havering continues to have one of the lowest SSAs per head of the population. Compared with its neighbours, the disparity is marked; Havering's SSA per head of population is on average 23 per cent. less. Although the borough recognises that the percentage increases in SSA for 2001-02 are good—double the rate of inflation—they will be applied against a low base and do not reflect true spending needs. In that respect, it is not as good a settlement as it looks.

Since 1995-96, Havering's budget requirements have consistently exceeded the SSA, even after accounting for drawing down from reserves—in 2000-01, spending was 4.5 per cent. above SSA. That inequity must be resolved. The continued underfunding has had a detrimental effect on the council's infrastructure. A prime example is highways maintenance spending. About 58 per cent. of the borough's street lighting columns are more than 15 years old, and in excess of 2,500 have significant deterioration. Spending on highways maintenance averaged 17 per cent. below the SSA in recent years. I was interested to look at the performance indicators. Whereas in the past, Havering's maintenance of street lights was average, it has now declined, which reflects the lack of investment in that important area.

The imposition of the ceiling for data changes appears to be unfair to councils like Havering. It already provides services for pupils in schools, for the elderly

and other services for the general population and it pays higher input costs to employ skilled staff as reflected in the new earnings survey. Furthermore, as in other London boroughs there are recruitment and retention problems in key local government professions. The effect of the ceiling should be taken into account within the council tax benefit subsidy limitation scheme. It should also be taken into account in the passporting rules for the education standard spending assessment. Passporting the SSA increase in full will increase the loss to the council through the council tax benefit subsidy limitation scheme, yet Havering has the highest level of delegation in the country. Nearly 90 per cent. of devolved funding goes to local schools.

External support for Havering is one of the lowest in the outer London boroughs. In the past five years, it has averaged 71 per cent. while the outer-London average is 75 per cent. The gap is widening from 3 per cent. in 1996-97 to 4 per cent. in this year's provisional settlement. That means that in addition to having one of the lowest SSAs in London, which restricts the council's spending, Havering residents are expected to pay a higher proportion of costs towards local services. Currently, the council tax is well above average at £959 this year.

The borough loses out in other areas. Havering pays its levy to the East London Waste Authority based on band D equivalence. Funding through the SSA formula is based on population and deprivation indicators. The basis of the costs to the constituent boroughs is not represented in the SSA formula. If the levy were based on tonnage of waste generated, it would more closely reflect the funding stream and would save Havering nearly £875,000 per year. Another example is the mismatch between the funding and costs to the council in concessionary fares. The SSA formula, which distributes grants to fund that service, takes into account the way those services are paid for, but as the SSA formula includes deprivation indicators, our neighbouring authorities receive significantly more Government support to fund those services.

Havering also loses out in the London borough grants scheme. The total cost is allocated on a population basis, but grants made by the units to voluntary organisations whose work includes Havering represent approximately 10 per cent. of the amount that the council contributes. That is partly due to the fact that any grants allocated by the unit require match funding. The council has no scope to match-fund to attract those resources to improve services in the borough. I have gone though the difficulties that a borough like Havering has in some detail, but other boroughs throughout the country have similar problems. They have led to significant increases in the council tax. There was a 43 per cent. increase in council taxes from 1996 to 2001. There is a 12.4 per cent. increase for 2001-02. Increases above the national average are likely for the remainder of the comprehensive spending review period.

What does the future hold? The Green Paper sets out a number of ways of trying to achieve a better regime. A number of them require careful analysis. I am in favour of the safety valve suggestion. The Government recognise that any formula-based system is bound to have limitations and that those limitations could be resolved by allowing authorities to apply for further funding via a safety valve mechanism. That would allow the Government, presumably as a top-up to the revenue support grant, to pay additional non-ring-fenced grants to councils that appear to be underfunded.

I agree with that approach, subject to there being clear criteria that local councils can understand when applying for the funding. Comparisons of external support to the class of authority are a good starting point. The criteria should be consistent, holistic and not open to different interpretations. For example, unit costs can vary simply by the allocation, while best value performance indicators need to be applied consistently across authorities and years. The system should be neither administratively cumbersome nor costly. The Government should consider using other sources of information, such as inspection results.

Mr. David Kidney (Stafford): My hon. Friend has shown a wonderful grasp of the details of Havering. He mentioned other sources of data. Is he aware of what the Office for National Statistics is doing? The decennial census is about to begin, the average earnings index is changing, and there is a new project to capture ward-based statistics. Does my hon. Friend agree that such new data might be helpful?

Mr. Darvill: I thank my hon. Friend for that intervention. The problems that can result from using old data are one of my main themes today. The current system perpetuates existing problems but, as my hon. Friend suggests, current technology could help to ensure that grants take account of updated information.

The use of ministerial discretion in safety valves could give rise to concern unless the discretion is tied into a clear, published and transparent framework. In other words, the safety valve system could work quickly, but the framework must be open to avoid difficulties with the allocation of grants at central level.

The Government have changed their emphasis recently on public service agreements. I look forward to hearing the Minister comment on the setting up of pilots, and clarify the criteria for public service agreements. The Green Paper also touches on the business rate, which the Government are considering. In principle, the more the business rate can be defined and made accountable to the local area, the more effective it will be.

I apologise for concentrating on my local authority's position, but I wanted to highlight the severe difficulties that have resulted from the existing system. The borough has never been a profligate or high-spending council. It has made strenuous efforts to modernise and embrace change, yet finds itself in a difficult position. It has suffered from a lack of investment in the past, almost entirely due to previous Conservative Administrations. I am sorry to make a party-political point, but it is relevant to explaining the historical position.

In the lead-up to the 1990s, the borough was a low-spending, low-investment authority. Following subsequent changes in the 90s, several services—particularly children's and other social services—needed improvement. Improvements often resulted from inspections, but funding adjustments were not made following the implementation of recommendations, resulting in spending above the standard spending assessment.

[Mr. Darvill]

The previous Conservative Government, with their disastrous poll tax fiasco and creation of the present system, exacerbated the problem. Low settlement figures in the few years before 1997 were another factor. From a low base, the borough has never been able to recover and has sometimes had to reduce its reserves. That effectively lowers income because, as reserves reduce, so does the interest from investments. Despite higher investment by the present Government, the borough remains in a difficult position.

As a result of its continuing problems, the borough has made its own representations. With all-party support in the borough, a campaign for "Justice for Havering" has been established. We must halt the decline before the position worsens. It has been calculated that there have been cuts of approximately £19 million in the past 10 years. Admittedly, some of them were the result of planned spending expansions, but in many ways such expansions were justified investment in several essential services.

The financial system impedes the planning and modernisation of services. It hinders delivery of the Government's programme, creates low morale among staff and council members and leads to public incredulity because council taxes are high when public services have been cut. Local government finance needs urgent review—that will be complex—and I am aware that the Government are starting to give the matter priority, which I appreciate. If the planned reforms take longer than expected, the Government should introduce the safety-valve concept as an interim measure. That would be a possibility for boroughs such as Havering, which has specific difficulties.

It is important that our public services are maintained. Delivery is important not only for the local authority's services, but for initiatives in which local authorities have an important role, such as reducing crime and increasing educational standards. With that, I conclude my remarks and look forward to the Minister's reply.

9.56 am

Mr. David Kidney (Stafford): I congratulate my hon. Friend the Member for Upminster (Mr. Darvill) on securing this important debate and on his thoroughly reasonable and constructive presentation. Yes, he made special pleas for the London borough of Havering; however, his grasp of the underlying circumstances in that borough shows that he has made a genuine effort to understand the complexities of local government finance.

I begin my discussion of some of the criticisms of the present system and why reform is necessary by referring to my hon. Friend's fifth criticism about the formula for funding local government from Government funds. That regressive formula goes back to a period in 1990 and seals in the pattern of spending that was then current. It means that the whole system is trapped in a time warp and that local authorities can do nothing to change their situations.

My special pleading is for the local authority of Staffordshire. In the league table of funding for shire counties, Staffordshire is always at No. 34 of 35. Unlike those in a football league table, the authority cannot raise its position by improving its performance. That is absolutely contrary to my idea of a modern system of local government finance.

Another criticism of the present system is the introduction into the formula of factors that are not objectively justified. The most obvious one is the area cost adjustment, which my hon. Friend mentioned. A couple of years ago, I asked the House of Commons Library for some details on how Staffordshire has been affected by not being eligible for the area cost adjustment, which is drawn in a ring around south-east England. I was given an indication of how Staffordshire has suffered. In 1999-2000, the standard spending assessment for Staffordshire county council would have been about £28.6 million—or 5.4 per cent.—higher, if area cost adjustment figures equal to the arithmetic mean for those counties with an area cost adjustment factor of more than one had been applied. Staffordshire was £28.6 million worse off in that one year alone, simply because of exclusion from a formula for dishing out money. Staffordshire was denied that considerable chunk of spending.

Additional educational need is another element in Staffordshire—that need is thought to lack credibility. Parents of schoolchildren in Staffordshire often make comparisons with other parts of the country—not so much the London boroughs to which my hon. Friend referred, such as Hackney or Havering, but Hertfordshire in south-east England, which many people would say is similar to Staffordshire. Funding in Hertfordshire is between £200 and £300 higher per pupil than in Staffordshire, although the education service is the same.

Mr. Darvill: Does my hon. Friend agree that although those comparisons appear to be reasonable, they tend to undermine the system of local government finance in the eyes of the electorate?

Mr. Kidney: The Green Paper discusses the ability of politicians to explain and justify a system, which many people find incomprehensible, to the public. It is difficult to justify the formula because of its regressive nature.

I should also mention the plight of social services in Staffordshire. As the standard spending assessment is so low, support from central Government is also low. This year, the director of social services reckons that he is £17 million light on the funds that he needs to provide the same level of service as the rest of the country. From a politician's point of view, an excellent indication of that shortfall is that county council elections are due in Staffordshire on 7 June this year, but local politicians have decided to increase spending by 5 per cent. That is almost entirely because of the pressures on the social services budget, especially from older residents who want more support in their homes or to go into residential homes.

That spending increase is a measure of the desperation. Even in an election year, there is no question of not introducing an increase, although it will be unpopular with residents. As the 5 per cent. increase in spending outstrips central Government support by a considerable amount, the excess is loaded on the quarter of the council's income that comes from council tax.

which converts to an 8.9 per cent increase in council tax bills, which has made residents angry. It is difficult to explain to them why the local authority bears such a disproportionate amount of that cost.

The Green Paper was welcomed in Staffordshire because it rejected a continuation of the status quo. In that regard, the Government have taken an important stride forward compared with previous Governments. My hon. Friend did not touch this matter, so I ought to make it clear that the Green Paper offered two different ways forward. On the one hand, it suggested a simplification of the existing formula for distributing central Government grants. On the other, it offered a system whereby local authorities would submit their plans for future spending and central Government would decide how to allocate funding in accordance with the quality of those plans.

Most responses that the Government have received do not favour the plan-based system because of the uncertainty at the bidding stage and concern about the additional bureaucracy caused by administering the plans. There is a further worry that that system would centralise control in the hands of the Government of the day, which would not allow local authority independence. Most people support a simplification of the formula. On 5 March, the Government published a summary of the responses received to the Green Paper, and if one reads through them it is easy to see that a majority of respondents felt that a simplified formula was fairer, easier to explain and easier to understand.

I welcome the suggestion on education in the Green Paper, which proposes a simplified formula with a minimum per pupil entitlement throughout the country. The parents, teachers, school governors and politicians of Staffordshire would be delighted to see that in place. Of course, there are reasons why some parts of the country need more money—for example, inner-London boroughs. The Green Paper therefore discusses additional payments for objectively ascertainable levels of deprivation and the costs of recruitment and retention. I have already mentioned the role that the Office for National Statistics could play in providing ward-based data that would justify those objective decisions.

I welcome the discussion in the Green Paper of funding floors and ceilings to limit the gains and losses of the winners and losers and to improve stability from one year to the next. On balance, I would probably support safety valves, as did my hon. Friend, but I am worried about discretion for the Government of the day. I support the response that one local authority made to the Green Paper that any funding for safety valves should be additional funding from central Government and not achieved by top-slicing other authorities' funding.

My final and probably most important comment on the Green Paper concerns the anticipated levelling up of funding rather than taking money from existing winners and redistributing it to losers. That is important to ensure that the future settlement is acceptable throughout the country.

I have read the responses to the Green Paper, which include support for a simplified formula. That support is not unanimous and some authorities oppose it, but it is fair to surmise that opposition comes from those who are gaining from the present unfair formula and do not want to risk losing their gains. There is strong support for a system of funding floors. Of the 229 local authorities and other organisations that responded, 89 per cent. favoured a funding floor, 9 per cent. were neutral and only 2 per cent. opposed a funding floor. That response was different from the response to a system of funding ceilings—my hon. Friend was nervous about that—which was supported by 56 per cent. of those who responded, with 26 per cent. being neutral and 19 per cent. opposed. Again, those who opposed it were those who feared that they would lose out.

My knowledge of funding campaigns goes back to the 1990s, when the seven worst funded shire counties formed themselves into a group. It called itself the E7 group and when another authority later joined, it became the E8 group. However, it had little clout or influence because it was a small group of losers and no one took any notice of it. If it threatened an authority that was a winner, it received no support, which was understandable. The group made a strategic decision during the present Parliament and disbanded. It obtained wider support from local government associations and formed a group of the 40 worst funded authorities in the country. It included all sorts of authorities—unitaries, metropolitans and so on. I was flattered that it chose the university of Staffordshire in Stafford in my constituency for its inaugural meeting in recognition of what I had said and done in Parliament.

I attended the inaugural meeting, at which it was agreed to set up a fair funding campaign group, called F40 for convenience and brevity. I said that I would write to Members of Parliament with constituencies covering those 40 authorities to ask if they were interested in supporting the group in the House. Approximately 200 Members of Parliament from all parties replied saying that they would support the campaign. We then held several meetings, which were very well attended bearing in mind our numerous commitments elsewhere, and were able to send out a firm and consistent message, especially to the Department of the Environment, Transport and the Regions.

I like to think that the message that we delivered so clearly and consistently influenced the rationale of the Green Paper. We were pleased with its contents and I am proud that 14,402 supporters of the F40 campaign wrote individual letters in response to the Green Paper. They came from parents, teachers and schools as far afield as Cambridgeshire, Cheshire, Cumbria, Derbyshire, Devon, Dorset, Gloucestershire, Leicestershire, North Yorkshire, Northumberland, Nottinghamshire, Shropshire, Somerset, Staffordshire, Suffolk, Warwickshire, Wiltshire, Worcestershire, Bury, Dudley, North Tyneside, Solihull, Stockport, Trafford, Tameside, Wakefield, Wigan, Bath and north-east Somerset, East Riding of Yorkshire, north Somerset, Poole, Rutland, Swindon, Warrington, west Berkshire, Wokingham and York. That is a pretty impressive spread. A total of 14,402 people wrote in support of a resolution, which, with your leave, Mr. Amess, I should like to read into the record of our deliberations, because the respondents deserve that recognition. It says:

BEST COPY AVAILABLE

[Mr. Kidney]

"The f40 Group welcomes Government recognition of the need to remove unjustifiable inequalities in the system for funding education. The next three months give an opportunity for authorities, governors, teachers and parents to influence future plans.

The Group is now keen to work with DfEE and DETR in the positive spirit of levelling up the worst funded areas. However, we are greatly concerned that the Government appears to contemplate that the existing injustices will be continued for another three years.

We strongly urge the Government to act now to provide additional funding for levelling up from April 2001. This will provide a temporary solution under the existing discredited system while the new long-term proposals are being developed.

The f40 Group is of the opinion that the proposed three year freeze to the SSA formula is unacceptable."

That is a positive and powerful message to the Government. The April 2001 financial settlement, which is now up and running, does not include extra money specifically for areas such as Staffordshire. However—it is fair to give the Government these limited accolades—the local government formula for 2001-02 included funding floors and ceilings as an experiment. The Government were partly driven to do that by data changes in the average earnings index, which would have been embarrassing for them. Nevertheless, the fact that, even in advance of the White Paper and new legislation, they are operating floors and ceilings demonstrates a welcome commitment on their part to the matters discussed in the Green Paper.

In the Budget, the Chancellor of the Exchequer announced even greater flat-rate payments to every school in the country—up to £63,000 to a large primary school and £115,000 to a large secondary school. It is welcome, on the basis that equality is equity, that every school in the country receives the same sum of money regardless of its location.

Like my hon. Friend the Member for Upminster, I urge that the White Paper should not long be delayed and that legislation to make the necessary changes in accordance with it should be a priority for the next Parliament. We do not want new groupings of winners and losers fighting each other across party political boundaries about cash. To prevent that, it is important for the Government to stand by their commitment to level up funding to those authorities that are at present the losers.

I look forward to listening to other hon. Members' contributions to the debate.

10.13 am

Mr. David Drew (Stroud): I add my congratulations to my hon. Friend the Member for Upminster (Mr. Darvill) on his lucid explanation of the subject and pay tribute to my hon. Friend the Member for Stafford (Mr. Kidney), who has led the F40 group magnificently both in this place and outside. We have made our point and eagerly await the Government's response.

There is always a temptation to think that anyone who takes an interest in local government finance is mad, bad or merely sad. However, its importance cannot be underestimated, given the impact that it has on our lives as Members of Parliament through the various ways in which our local councils operate. I shall lay my cards on the table from the outset. I come not to praise the current system, but to bury it. It is unfair, opaque, and fails in its key task of providing the right level of services in the appropriate way. Radical reform is necessary, and I welcome the Government's Green Paper. Like my hon. Friend the Member for Stafford, I look forward to a White Paper soon after the election to ensure that we drive the change through and achieve radical reform.

We can dissect the problems of local government finance in many ways, but I will concentrate on three areas that clearly demonstrate where it has gone wrong. First, my hon. Friend the Member for Stafford mentioned cost adjustment, which is the Tories' payola and nothing less than a way of bribing certain local authorities to continue with what has happened in the past. If one wants to annoy any head teacher or councillor in an area that is tangential to an area in which cost adjustment applies, or in one of the metropolitan boroughs, one must only mention cost adjustment and a blue touch paper is lit; the issue causes incredible anger and dispute and something must be done about it.

Secondly, for all the complications and differences in local government finance, the same services are effectively being provided nationwide. There may be some cost differences across the country, but they are often exaggerated. If we are providing common services, they should be funded in common ways. A need for commonality of funding exists and we should either be levelling up to a mean, or jointly accepting that a common system can be achieved, barring the exceptions that I shall mention.

The third area may have been brought to Ministers' attention by the sheer idiocy of what is happening. Like my hon. Friends, I shall use the experiences of my local authority to highlight the anomalies in the system. Our fire and rescue service in Gloucestershire has done what it should have done—reduced the number of emergency calls by checking calls and ensuring that people are not abusing the emergency services, as well as the number of retirements—so it has achieved a wonderful 1.4 per cent. increase in our standard spending assessment. After some nifty lobbying on my part, I managed to reduce that to a 1.3 per cent. increase. Ministers were apoplectic when they were asked why that had happened. That anomaly, and other anomalies that every hon. Member can think of, bring home the reason why we must change the system.

Why have we failed to change the system in the past? We all agree on the need for reform, but not necessarily on a mutual goal. There has been conflict between the metropolitan boroughs and counties, among the various layers of local government and between those in an area of cost adjustment that have something to defend and those outside the area who are trying to get in, or who are saying that the system is unfair and should be changed. We sometimes underestimate the impact of the different layers of local government. It pleased me that the Green Paper mentioned parish and town councils. As a town councillor, I was happy to see that the first level of government—which should not be regarded as the lowest level—was mentioned because it has a role to play in reforming the system.

However, what brings home the need to engineer that reform is the state of the major services—education and social services. My hon. Friend the Member for Stafford mentioned that the Chancellor had channelled funding into schools in a different way, and we have certainly seen the advantages of having a common system. However, many problems exist in the social services of most authorities and they are related to funding and unfairness in the system, which we must do something about. To a certain extent, those problems could be dealt with outside the area of funding and its need to be linked with health, housing and other issues. However, that strategy will not be sufficient on its own and we must see what the funding arrangements are to ensure that services are receiving funding, particularly those for older people and children. One anomaly in the system that needs to be addressed is the radically different way in which children's services are funded in different parts of the country.

I shall deal with a few other matters in passing. The formula is far too complicated and as a result no one understands the nuances of the resulting change. Importantly, that situation militates against local initiatives and improvements. I have confidence in local government, albeit in perhaps a different form. Those of us with three-tier authorities are desperate to move to a two-tier system that bolsters town and parish councils and recognises that unitary authorities can deliver services with clarity. However, that is an argument for another day. It is galling to discover that the funding arrangements do not take account of particular problems. In the past six months, my county has been hit by two crises: flooding, which caused enormous problems, and foot and mouth disease. There must be a degree of finesse, in that funding must form part of the way in which we deal with those problems. Unfortunately, there is no way to do that at the moment.

What can we do? The Government must face up to the need for radical reform. My hon. Friend the Member for Stafford referred to the F40 group. Its highly creditable campaign, which the Government have regarded positively, has introduced many ideas, but we must push the rationale for reform. That is only one service and we must remember that we are reforming across the board, but its arguments for raising lower-funded authorities to an arithmetic mean and establishing common, service-based funding deserve close attention. Such initiatives could be linked to changes in the council tax regime. Re-banding, for example, should play a part in the changes in local government finance that we are discussing. We need to lower the banding for some residents in band A. Those of us who campaigned for fairness for dwellers in park homes will regard that as an important issue. Moreover, we should ensure greater fairness as regards those in band H—I am not having a go at them as individuals—who are not paying the proper amount towards local government funding.

Establishing floors and ceilings is a move in the right direction. I am confident that the Government now know how to do so, but they must grasp the nettle of reform and ensure that the various services are able to continue by providing appropriate funding.

Another reason why reform has failed is the London effect. Given that the constituency of my hon. Friend the Member for Upminster, who secured this Adjournment debate, is in the London borough of Havering, he is doubtless able to argue far more fiercely than I could for the need to recognise London's impact. I accept entirely that London is a special case, although we may not choose to describe it as such. We must recognise that the poorer London boroughs must not be disadvantaged by the new system. Indeed, if there is to be proper reform, some dampening might be necessary for a time to ensure that certain authorities are not unduly hammered. Some parts of the country will doubtless express a degree of schadenfreude, saying that it is about time that the south-east got its come-uppance. However, we should not argue that case too fiercely, because that is not the way to achieve an acceptable level of reform. We must recognise that there will be cost implications in the interim, until we move to a funding system that is fairer and more transparent.

We recognise that the task will not be easy and that many other elements in the Green Paper are also worthy of note. It is a strength of the document that it is thin: it is straightforward and not over-complicated. Pages 12 and 13 set out the SSA system clearly and comprehensively and have enabled me to come nearer to understanding it than ever before. I wish that the hideously complicated system were that simple in reality.

We must also examine such topics as the fairer use of capital investment and links to business rate changes. I would like the funding stream to be localised so that businesses can put money directly into their local communities. Such a link between a business and the local community is a symbolic, but important, gesture.

I hope that the Government recognise the need for urgent reform, and will get on and make the progress that some of us wanted earlier. The case is now proven, and all that remains is delivery.

10.26 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate the hon. Member for Upminster (Mr Darvill) on securing the debate. "Justice for Sutton" has a nice ring, and something might be germinating there. We had the first phase of the "Justice for Sutton" campaign when I took an all-party group of local councillors to see the relevant Minister to express concern that, on the present grant, the London borough of Sutton cannot deliver the education or community services that residents want.

I welcome the opportunity to debate local government finance. Perhaps it is not the most media-grabbing issue, but it is of great concern to local residents, whom it seriously affects. As the hon. Member for Upminster pointed out, one could make this a much more controversial debate about public-private partnership for London Underground. The appropriate Minister is here, and such partnership is a means of funding local government services. Does the Minister advise local authorities to pursue public-private partnership arrangements for the long-term financing of council services?

We could make the debate different again by extracting the "local" and the "finance" to end up with "Modernising government". Today's debate could have touched briefly on the need for a fixed term for a Parliament. We must discuss that in this Chamber at some point.

[Mr. Tom Brake]

The Liberal Democrats broadly support the aims of the reforms in the Green Paper, "Modernising Local Government Finance". Local authorities need a strong democratic mandate from voters and the support and involvement of a wide range of local stakeholders, as well as clear, forward vision and firm leadership. We agree with the hon. Members who have said that local authorities can achieve nothing without money. We must get financing right and fund all local authorities adequately.

Local authorities should have a greater say in what constitutes adequate funding. The standard spending assessment is unloved and based on projections that are up to 10 years old. If local authorities had a greater involvement in the funding process, some of the authorities in the south-east to which hon. Members have referred could have the necessary resources to tackle their serious problems, such as attracting teachers and social workers.

We support the continuous improvement in service quality. We support predictability and stability. Local authorities cannot plan ahead with confidence if they are subject to large or unexpected variations in grant, or take on additional responsibilities, perhaps at short notice, without the adequate level of funding required to deliver them. We support the need for local authorities to have real financial freedom and responsibility, but do the Government?

The Government's Green Paper states that local authorities need clear forward vision and firm leadership, but when local authorities provide firm leadership, they are slapped down by central Government. I shall cite my borough as an example, for which, like other hon. Members, I apologise—it is the borough that I know best. The London borough of Sutton carried out a consultation a few years ago asking local people what local government structure they wanted. My authority expressed its preferred option; it showed leadership, in other words. It had thought about the issue and suggested proposals. However, the local authority was sent off with its tail between its legs and told to rerun the consultation because of having expressed a preference—so much for allowing local authorities to demonstrate leadership. It is hard to believe that the Government are committed to giving local authorities real financial freedom and responsibility. We should allow local authorities to make their own decisions and their own mistakes, for which they may subsequently pay via the ballot box.

The Green Paper refers to the need to be fair to those who need and pay for local authority services and to ensure that people are fully protected. I hope that the Minister will explain what that means and from whom local residents need to be protected. Is it a code word for what used to be called loony left councils? Accountability for financial decisions needs to be clear. If council tax increases are excessive, or services underfunded, people need to know why. It should be clear to people whether council tax increases are a result of something that the local authority has done, or of central Government cutting the grant, or whether they are due to central Government passing on responsibilities to the local authority without giving it the necessary funding to allow services to be delivered.

The Minister will have seen chart A in the Green Paper, which shows a 4 per cent. increase in revenue support grant in the year 2000-01. Will he confirm what the increase would be if it were weighted in favour of additional responsibilities that local authorities have had to take on? What sum will the real new money be that local authorities will receive? The process of Government finance should be intelligible and transparent to stakeholders. No one could disagree with that. At present, few people understand the way in which local government is financed or realise the impact that the level of grant from central Government has on services.

The Green Paper refers to partnership working, which is again something that we support. We also support consultation, although referendums have to be handled carefully. Local authorities embarking on referendums need to be careful about the promises that they make and how binding they will be. When committing themselves to a council tax increase of a certain percentage, they need to be careful to take into account outside factors, such as the Ken Livingstone factor on precepts, and the impact that that could have on services.

The Green Paper refers to people being held to account if services are not being delivered or are inadequate. That is all well and good, but it is not easy to hold people to account in a first-past-the-post electoral system. My local authority has a massive Liberal Democrat majority, which I hope will continue for years to come, but under the present system, there is relatively little scope for people to achieve a change in local government. It is difficult to hold people to account under that system.

I accept that some progress has been made. It was right to move to a three-year spending round to give local authorities some stability so that they could see what was coming over the horizon in budget terms. However, there have been some unwelcome developments, such as the increase in the use of ring-fenced grants, or grants being given to specific bodies. Does the Minister think that central Government giving grants to schools results in greater clarity in financial decision making or responsibility? Does that help people to understand what is happening with local government finance?

The Green Paper contains much more that is welcome. Liberal Democrats aim to restore local government independence, which can be achieved in part by modernising local government finance. Will the Minister consider local income tax as a means of making accountability much clearer? How can that be achieved other than by shifting the balance of how local tax is raised, from a central Government grant to local people paying for local services and seeing that clearly in local income tax bills? Before anyone starts distributing leaflets saying that council tax will be increased threefold, taxpayers would be compensated by equivalent reductions in national income tax.

Mr. Phil Woolas (Oldham, East and Saddleworth): Would a local income tax be raised from the residents of the borough or district, or from the employees working

within that geographical boundary? How would the hon. Gentleman ensure a fair distribution of resources, given the higher incomes in the south-east?

Mr. Brake: There would need to be a mechanism for redistributing the moneys raised, so that deprived areas could be compensated, or given additional grant. That is why we are talking about, say, 80 per cent. of the money required to be raised locally and 20 per cent. raised centrally, with which we could achieve the sort of redistribution to which the hon. Gentleman referred. That would be achieved over a transitional period, so there would not be a heavy impact in year one.

The Government favour trials. We have had some interesting trials on voting procedure, with postal votes and allowing voting to take place in supermarkets, for example. Will the Minister consider allowing local authorities to use different methods of taxing businesses, for example? Many local authorities suffer, as mine does, from businesses or property owners who leave retail premises in prime high street locations empty year after year, waiting for I know not what. In a prime location in Wallington, the premises of what used to be a pizzeria have been empty for about 10 years. Can local authorities be given the flexibility to target empty retail premises and get them back into use, rather than leaving them vacant for many years?

I hope that the Minister will give local authorities financial freedom and responsibility and that he will respond positively to my radical proposals.

10.41 am

Mr. Nigel Waterson (Eastbourne): It is a great pleasure to be in this Chamber under your chairmanship, Mr. Amess.

I congratulate the hon. Member for Upminster (Mr. Darvill) on securing this important debate. It would be unfair to describe those who are assembled here as "anoraks". We are not sad people—at least, not in this context. The hon. Gentleman raised some important matters and gave us the opportunity to probe the Government, in the estimable shape of the Minister, about their intentions. The Govt have published the Green Paper, taken consultations and had time to mull things over.

One of the problems about a Government coming to the end of their natural life is the tendency of Ministers to kick things into what is known in Whitehall as the long grass—the grass has never been longer or more widely spread than under this Government. The fly in the ointment is the postponement of the election to 7 June or whenever, because that means some things that are now in the long grass—hunting and so on—will have to be extracted from it.

On the more arcane issue of local government finance, we are entitled to know, in the dying days of this Government, whether Ministers will produce a White Paper on the subject. The last date for responses to the Green Paper was 8 December and it is high time that Ministers gave us their definitive views on the subject.

A problem with postponing local elections to June, or whenever, is that some fragile budgets have been put in place by regimes that expect to be booted out. My county, East Sussex, is a prime example. The Lib-Lab pact has made a complete mess of the budget and has left behind—or is hoping to leave behind—a fragile budget replete with booby traps for the incoming Conservative administration. It will be interesting to see how the Lib-Lab pact manages to soldier on, trying to operate the budget for the early part of the new financial year.

The comments made by the hon. Member for Upminster were thoughtful, although it was unfair to blame the Opposition for the lack of time available to debate the rate support grant, which is a matter for Government business managers. However, he was right to mention some of the defects in the current system. He touched on the Government's centralising agenda. Under this Government, local government finance is a major weapon for imposing a tighter grip from central Government on local democracy.

The hon. Gentleman mentioned best value, which has got completely out of control and which will need radical review under the next Conservative Government. He also talked about capping. With the effrontery that only politicians can manage, he denied that he would go into the subject of special pleading, of which he then gave us a lengthy example as it affects Havering. He was not alone in doing so—he thought that the settlement was not as good as it looked and talked about underfunding. He also mentioned large increases in council tax in his area.

The most useful parts of the hon. Gentleman's speech were his comments on floors and ceilings. A complaint about the Government's attitude to local government finance is that they claim to be in a period of stability, as they persist in calling it, with a freeze on standard spending assessment methodology. There are problems with that so-called freeze. At the start of the period, the Government made the conscious decision to shift resources away from shire areas and London—to the tune of hundreds of millions of pounds—and the three-year period of stability cemented in those unfairnesses for a significant period.

The Government are also bumping up against the problem of area cost adjustment. As the hon. Member for Stafford (Mr. Kidney) said, opinions differ on that subject, depending which part of the country an hon. Member represents. A Government faced with new data informing the calculation of area cost adjustment are in a predicament. Do they allow the new figures to be put into effect—that may cause even more steam to come out of the ears of the hon. Member for Stafford and his friends in the F40 group—or do they tinker with the system? In that respect, the hon. Member for Upminster put his finger on a major problem. Havering is one of a group of councils, which includes Newham, that have suffered a 0.2 per cent. loss in grant because of the introduction of floors and ceilings. The hon. Member for Stafford said again that it is a matter of top-slicing the money and redistributing it; it is not new money for people who are being given extra help, but money that is being taken away from all local councils, especially those on the list that includes Havering, which is losing even more grant because of the new ceiling arrangements.

In the middle of a so-called freeze of methodology, when the Government are supposed to be sitting in a darkened room taking account of representations on the Green Paper and taking serious decisions about the future of local government finance, they are merely tinkering with the system at the edges. They are just

[Mr. Nigel Waterson]

dipping their toe in the water; if it works this year and the Government think that they can get away with it, it is a wonderful opportunity for Ministers to make politically informed decisions about distributing grant around the country.

It was fascinating to hear the hon. Member for Upminster touch on that issue when he sounded a warning bell about ministerial discretion. There are two schools of thought on the Government Benches: first, that they do not want plan-based funding, and secondly, that they want a simplified formula. The only problem is that one authority's simplified formula is another's gross unfairness. The Minister will warn us about the search for undue simplicity in the formulas, but there is a consensus on the Labour Benches that plan-based funding is not the answer. In large measure, that is because of their suspicion and, if they are suspicious, what are the rest of us to say of ministerial power and the centralising power of Government over local authorities? It we are not careful it will be yet another mechanism that the Government will put in place to control the agenda of local authorities.

If there is not to be a simplified formula-based system, there is growing support on the Labour Benches for ministerial discretion, or interference, and we all know what that means. Already, specific grants under this Government have risen dramatically; they have gone up even in this year by more than 18 per cent. as a proportion of total grant. The growth in competition for particular pots of money is often time wasting and expensive for local authorities, especially those who do not succeed and now there is to be a system of floors and ceilings, which will allow Ministers to interfere, subject to representations from their hon. Friends—

Mr. Darvill: I have been listening closely to the hon. Gentleman. Am I to gather from what he said that he would be opposed to a safety-valve mechanism, or does he think that one could be introduced, provided that there were the right safeguards and criteria?

Mr. Waterson: With respect, that begs the question what system there will be at the end of the process. It is true that for a Government bent on centralising in local government there are major attractions in safety valves and other mechanisms based on ministerial discretion.

We heard a great deal about simplified formulas, especially from the hon. Member for Stafford, who speaks with some knowledge about such matters, and from the hon. Member for Stroud (Mr. Drew). The hon. Member for Carshalton and Wallington (Mr. Brake) was sensible not to dwell on Liberal Democrat policies of increased income tax, local income tax and regional tax and support for the Government's imposition of extra burdens on the motorist.

The important aspect of all this complexity, and the interesting and arcane discussions to which it leads, is the effect that it has on real people. Despite the Government's projections, this year there will be a further average increase of 6.4 per cent. in council tax—that is three times the rate of inflation. In Staffordshire, it is more than 8 per cent.; in East Sussex, it is close to 10 per cent. That is wholly unacceptable to ordinary people, especially pensioners, who, in effect, are having to pay a new stealth tax.

10.50 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate my hon. Friend the Member for Upminster (Mr. Darvill) on his success in securing the debate. He was one of several Members of Parliament who responded directly with their views on the options for reform outlined in the Green Paper, "Modernising Local Government Finance". I have read his response, which was thoughtful, as was his speech today.

We heard interesting and serious contributions from my hon. Friends the Members for Stafford (Mr. Kidney) and for Stroud (Mr. Drew) and from the hon. Members for Eastbourne (Mr. Waterson) and for Carshalton and Wallington (Mr. Brake). Several hon. Members referred to the unique and compelling reasons why their local authorities should receive a somewhat better deal out of local government finance arrangements, and I should like to have been able to respond to those individual concerns. However, in view of the limited time remaining to me, I propose to confine my remarks to the Green Paper, which has been the underlying theme and connecting link of the debate.

First, on revenue grant distribution, the key point to emphasise is that we have not yet made final decisions about whether we will extend the formula freeze for another year or base the new revenue grant system on a formula or plan-based approach. In the meantime, officials are working with local government on the detail of our proposals for reform. New formulas are being developed only on a purely contingency basis. I shall return to that matter later.

Perhaps the most consistent message in the responses to the Green Paper was that local government needs more stability and predictability in funding levels. That enables authorities to concentrate on medium and long-term planning for improved service delivery rather than on annual fire-fighting and demotivating rounds of cuts when grant figures are announced. As my hon. Friend the Member for Upminster said, we have made progress in that respect. We have sought to provide as much stability and predictability as we could, through three-year plans for total grants and the continued freeze on SSA formulas. This year, we have gone further by introducing floors and ceilings to grant changes. That was much welcomed by my hon. Friend the Member for Stafford.

However, we have promised more than predictability and stability. We all agree that a fairer grant distribution system is needed, but fairness does not mean just "fairness for my authority". Given the complexity of the formulas, it is inevitable that every authority feels hard done by in some respect. Every authority can give compelling reasons why it should get more, and it is the unenviable job of central Government to try to balance all those views and to deliver a fair outcome for all areas throughout the country.

Our present grant system attracts a lot of criticism. It has not made it easy for authorities to improve their services and it is extremely difficult for people to understand. Small wonder, therefore, that authorities doubt whether it is fair. However, our review of the distribution system has been making good progress. We are not rushing ahead with hasty solutions, as some would urge, but taking a long, hard look at our shared

objectives for the system and the best way in which to deliver them. We are building consensus through working alongside and listening to local government and other stakeholders, but much work remains to be done and we are eager to press ahead.

We are well aware of the F40 campaign, which has been active at grassroots level among local authorities and in the House, and is so ably led by my hon. Friend the Member for Stafford. I thank him for his kind words on the work done through direct grant to schools and through floors and ceilings. He will be pleased to hear that we have made an early start to joint working with local government and wider stakeholders on education funding.

A group has been set up to work on the funding of schools and local education authorities. Its overall aim is to oversee the production of a full proposal for a new funding system and a timetable for its implementation. The group's membership has been drawn from central Government and local government unions, and also includes representatives of teaching and non-teaching staff, schools, governors' organisations and the churches. It is working on a contingency basis and no decisions have been taken about changes for 2002-03.

My hon. Friend the Member for Upminster mentioned the safety-valve grant. The proposal on that was well received by Green Paper respondents. We are now discussing the detailed operation of the scheme with the Local Government Association, and considering the issues that my hon. Friend raised. The grant must be targeted at only a small number of authorities, but my hon. Friend has made a cogent case for his borough, Havering.

My hon. Friend the Member for Upminster also mentioned the local public service agreements that we are piloting. They are a new and potentially valuable tool for improving local services, involving closer co-operation between central Government and local government. They allow councils to sign up to challenging targets and to deliver on key national and local priorities in return for agreed freedoms, flexibilities and financial incentives. They allow us to examine ways in which the finance system can encourage exceptional performance. The pilot exercise is now being concluded. Some 14 agreements have been signed with authorities around the country and the remaining six should be signed shortly. We will extend the local PSAs to other upper-tier authorities in England on a voluntary basis.

I have concentrated on the distribution of revenue grant, which arouses strong feelings because of the sums involved. The debate, however, is on modernising the whole local government finance system and I will briefly cover other matters raised in the Green Paper.

We are introducing more flexibility to capital finance by the single capital pot—a cross-service allocation mechanism for giving central Government capital support to local authorities. That will be introduced next year, but we are going still further. Green Paper respondents overwhelmingly endorsed our proposals to abolish the complex system of local authority capital controls and replace it with the "prudential system" described in the Green Paper.

Two weeks ago, my right hon. Friend the Minister for Local Government and the Regions announced to the House our decision to implement the changes. Local government has long sought such capital reforms and they are widely welcomed. Under the new system, authorities will be free to invest in their communities without needing permission from central Government each time. Safeguards in the system will ensure that authorities do not run up unsustainable debts, but the increased flexibility will enable them to deliver better value for money, including through partnership working. The necessary legislation will be introduced as soon as there is parliamentary time.

In the past four years, the Government have increased grant to local authorities by £8.7 billion. That real-terms increase of 13.6 per cent. contrasts with the previous four years, when there was a real cut in grant of 6.9 per cent. In our first four years in office, we have concentrated on the biggest problems: inadequate funding for local government and lack of certainty about future funding. The Green Paper and forthcoming White Paper represent the next phase of our agenda to modernise local government. That includes the reform of grant distribution, capital finance and local taxation systems, and we will continue to work in partnership with local government and local stakeholders to achieve our aims.

Nursing and Residential Homes

10.59 am

Mr. Simon Hughes (Southwark, North and Bermondsey): I am grateful for the opportunity to debate standards of care in nursing and residential homes, although Parliament has spent some time discussing the topic in recent years.

In the past 10 years or so, two constituents of mine—one is over 60 and the other is well under 60—have always begun conversations with me by saying, "What are you doing about the old people?" and this debate is about exactly that.

I am pleased to have secured today's debate and was prompted to do so by a series of events that began in December last year, when some colleagues and I visited Guy's hospital, residential homes and old people's homes as part of a Christmas visit programme. I have made such visits in all but one year since becoming the Member of Parliament for Southwark, North and Bermondsey. Indeed, I inherited from my predecessor, the late Bob Mellish, the tradition that the local MP spends Christmas day at work, and I am very happy to do so. Such visits seem to be much appreciated by those one sees.

This year, Denise Capstick—a colleague who is a state registered nurse and a local councillor in the ward in which I live—and I visited several old people's homes, some of which cater for old people in general, and others for the particularly old or frail, or for those with mental illness. We were troubled by the lack of stimulation, personal attention and care that certain elderly residents in my constituency were apparently receiving. It seemed that minimal interest was taken in them, and that in some cases only mealtime and toileting needs were attended to. They were left staring at a loud television in overheated accommodation—and this was Christmas day—with little else in the way of activities. So troubled was my colleague that she resolved to pay further unannounced visits.

Since then, a particular incident has significantly raised the local profile of the issue. In February, constituents whom I already knew approached me and others about the apparent lack of care for, and potential violence and assault on, Walter Cook, a 70-year-old resident of a nursing home in my constituency. The assault on Walter Cook, which took place at the relatively new Tower Bridge care centre, gave publicity to his case, and led to on-going police investigations and to Mr. Cook's removal to other local accommodation.

Concerns arising from our Christmas and subsequent visits, and from the complaint made by the Pitts family—Mr. Cook's family—raised the general profile of the issue. Denise Capstick and her opposite number, Vicky Naish—deputy leader of Southwark council and the person with responsibility, under the cabinet system, for health and social care—resolved to work together to ensure that their concerns were adequately addressed. I should point out that there is no party political division in respect of this matter, which has become one of general concern. There has been the greatest collaboration between Vicky Naish, Denise Capstick and other councillors.

As a result, one local paper—*Southwark News*—to its credit ran the story about Mr. Cook. Publicly and privately, I suggested to the council that an independent inquiry or a review of the standards of care in the borough's residential nursing homes would be a good idea. As a result of that correspondence, I wrote to the deputy leader of the council and she replied positively and helpfully. She accepted my invitation to attend a public meeting in the Beormund centre in Bermondsey about two and half weeks ago and came with the director of social services and other local authority officers. Also in attendance were the chief executive of Lambeth, Southwark and Lewisham health authority—Martin Roberts—and his staff and other councillors, including Denise Capstick who had been with me in the first place. A significant number of people at the meeting had—or had had in the past—relatives in local residential care and nursing homes. The meeting, which I chaired, was not easy. It was full of angst and difficulty as people recounted stories about discovering that the care and attention offered in homes was not up to the standards that they had expected. I should add that the stories were about events of the past two or three years and so did not necessarily reflect the current situation. However, several unsettling and troubling stories were told and they have prompted me to ask questions and raise issues about the existing situation, before the full impact of the Care Standards Act 2000 takes effect.

I want to mention two other pieces of background information. First, I am conscious that Parliament has paid considerable attention to the matter and I pay tribute to the previous Administration who started the work and to the Government who have continued the work to ensure that we have a better regulatory system for dealing with nursing and care homes. The 2000 Act—I do not pretend to be an expert on it—is, by and large, a good and satisfactory piece of legislation that promises well. A regulatory inspection regime will be in place from next April—in fact, it began as a shadow regime three days ago.

We are looking forward to something that promises a better system of regulation, but as we all know, it takes time to get such systems up and running. I initiated this debate in order to ask Ministers and other hon. Members what we can do between now and next year to ensure that best practice is not delayed while we wait for the new regime to be introduced next April, and for its necessarily later implementation across the country. The process is bound to take a while and it may develop like the Ofsted regime. Not all Ofsted inspections occurred in the first months of the new system and, if we follow the Ofsted principle, there may be some years, certainly some months, before people can carry out the inspections ordered under the Act.

Mr. Philip Hammond (Runnymede and Weybridge): The hon. Gentleman talked about the new regulatory regime, but will he also talk about resources? Does he recognise that, without the appropriate resources available from local authorities, those who operate homes—whether they are local authority or privately owned—will struggle to meet regulations that are handed to them from this place?

Mr. Hughes: I absolutely accept that point, which was the second issue that I wanted to flag up.

There were two local concerns in December, January and February. One was connected with the private Southwark Park nursing home in Southwark Park road, Bermondsey, which is near where I live, and the other related to Tower Bridge care centre, which is run by Southern Cross Healthcare and has been open for two or three years. I received a letter from the chairman and chief executive of Southern Cross Healthcare, Mr. Moreton, which raised the issue to which the hon. Gentleman referred. I shall quote from the letter because it concerns a proper issue, which also arose in a local authority context. Mr. Moreton stated:

"You will remember that you attended the formal opening of the above home in October 1998 . . . As you are no doubt aware, over the last two years since the home opened, various factors have contributed to the deterioration of business conditions for the care home sector, and it is extremely worrying that, still, local authorities are not increasing fees to the necessary rate of inflation we are experiencing due to such things as the minimum wage, working time directive, minimum standards etc.

I am extremely concerned that we are not likely to achieve the very necessary local authority fee increases that we require this year to meet these exceptional costs. While I applaud many of these initiatives, given that employment conditions are substantially improved, the reality is that without the necessary fee increases we will face some difficult decisions.

In the case of Southwark, they are paying way behind the going rate for fees and I just hope our representations to them will be heard as we need to pay the right rates to get the right staff, otherwise care starts to deteriorate and that we will not allow. We have had an offer for Tower Bridge for another use and although this is not the way I want to go we are giving it serious consideration. This situation is clearly ridiculous given the need for the beds in the area.

Our current request is for a 6 per cent. increase, which is not at all unreasonable given the exponential growth in costs we will realise this year."

The letter ended with a plea for help, which is one reason why I am here today. It was a plea not only on behalf of that particular nursing home, which was also where the alleged assault happened, but on behalf of the whole sector.

At the meeting held in March, there was intensive debate about another nursing home called D'Eynsford House, Camberwell, which is a nursing and residential home run by Age Concern, Southwark, situated in the constituency of the right hon. Member for Camberwell and Peckham (Ms Harman). As far as I am aware, the council currently proposes to withdraw placements and funding because it cannot afford to pay for the home. Eileen McNally, who is the director of Age Concern, Southwark, attended the meeting. She said that costs are higher than the local authority pay, but that those costs are necessary to provide decent care. Residents' family representatives are fighting an intensive battle to ensure that the home stays open because it is a good home where there is great satisfaction with the levels of service. They do not want their relatives to be moved away to other places, but they understand that decent care must be paid for.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) has prompted me to ask a question that arises out of that case. We have started the new financial year and money has been allocated to local authorities, but in Southwark there are relatively high costs because of land values. Furthermore, there are few nursing and residential homes in the local authority, private or voluntary sectors, which has always been a problem. What guarantee is there that Southwark council—and others in a similar position—can find the money to guarantee the necessary staffing levels, pay and decent conditions to provide the care wanted by residents and their families?

Local authorities must battle with voluntary sector and private sector providers if they cannot afford to pay what is being asked for placements. They may threaten to place people elsewhere, but where is not apparent to me because I do not know where other beds are available. What can we do in such circumstances?

The second problem relates to what we can do to ensure that between now and implementation of the 2000 Act we can go above the minimum standards of the 1984 legislation. I accept the premise that the 1984 legislation is out of date and does not provide a sufficient base because the threshold is too low. However, that is the present threshold and a local authority or health authority, depending on whether the home is residential or nursing, inspects twice a year. If there is any reason for concern as a result of regular or on-the-spot inspections or in response to complaints, they will return. They then have a blunt choice. They may be able to close a home immediately, but only in the most draconian circumstances—I am aware of the necessary criteria for that—or they must serve notice, after which there is a long drawn-out appeal process.

During our debate a few weeks ago, it was clear that there was sometimes considerable dissatisfaction with the level of care, but if the health authority and local authority cannot find sufficient criteria to enable them to serve an immediate closure notice, they can only start on the long, expensive and ineffectual route for dealing with generally low standards of care.

Dr. Peter Brand (Isle of Wight): Does my hon. Friend accept that local authorities are sometimes loth to act because they cannot manage without the care that the home may be providing? That applies particularly to nursing homes, because there is a grievous shortage in some parts of the country and that may cloud the judgment of how immediate the action should be.

Mr. Hughes: My hon. Friend's expertise in the matter is greater than mine because of his professional experience on the Isle of Wight. My hon. Friend the Member for Sutton and Cheam (Mr. Burstow) also takes a great interest in the subject, but, sadly, cannot be here today.

There is a conflict of interest in that local authorities must protect their budgets and they want their money to go as far as possible. If they withdraw a contract, they may be unable to place people elsewhere locally. In constituencies such as mine there are very few beds and a great demand for care to be provided locally. That is the case in every community because people prefer their relatives to be cared for in areas that are easily accessible and, if they have no private transport, they need to be able to reach them on foot or by public transport at a small cost. They do not want to have to go out of London or to the south coast where, traditionally, there are more residential nursing homes.

Mr. Hammond: Just to develop the argument, does the hon. Gentleman agree that the key to a sustainable

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[Mr. Hammond]

increase in quality is to increase supply and not simply to regulate from above? If supply outstrips demand, quality will be forced up as suppliers compete.

Mr. Hughes: That general market economy argument is controversial. If supply is greater than demand, that does not always mean better quality. Logically, that should deal with some of the problems mentioned by my hon. Friend the Member for Isle of Wight (Mr. Brand) and local authorities should then have a choice, but a proper regulatory regime is necessary. Adequacy of supply is important, but we do not have adequacy of qualified and competent people to work in existing homes.

Privately run care homes—or even those in the voluntary sector—need to keep their costs down, so they may employ the least qualified staff because they are cheaper, and offer the poorest quality of care. I have done some work and have examined the legislation, but I am still unclear about the requirements, so should be grateful for a specific answer from the Minister today.

I discovered in a meeting that it is sufficient to have only one qualified nurse responsible for 24 residents in one of those nursing homes. I understood from that meeting that, although the nurse on duty had to have assistance, there was no requirement for any of the assisting staff to have qualifications. I accept that Southwark, like other local authorities, has specifications for the provision of nursing care homes, setting out matters to do with staffing and so on. However, can families be certain now—without waiting for the new regime to kick in—that every member of the full-time, part-time and agency staff working in a care home has no relevant criminal conviction or a previous employment record, rendering them unsuitable or undesirable for work in that environment? What guarantee is there that the staff have sufficient qualifications to do the job properly? Several issues that have been gathering over the years strike me as troubling, such as the issue of general qualifications and capability.

It has been pointed out to me that there have been advertisements for German students to work in a care home as a holiday job, for example. Often residents and retired workers who have tried whistleblowing have let us know that care workers have been found asleep when they should have been awake, that they look after themselves before the residents and do not pay attention to what is going on. I have been told that some residents have found it almost impossible to understand what care workers are saying, as their level of English is so poor. I appreciate that there may be a racism issue underlying that complaint, but whether someone comes from Finland or Zaire, a resident's care is not helped by not being able to understand what is being said. Therefore, we must consider the important issue of basic literacy, numeracy and intelligibility in carrying out care functions.

How can the public get quick, effective, authoritative checking and inspection of homes and achieve resolution of issues of concern? When the community health council in Southwark has had matters brought to its attention, the general secretary has gone to check and look round homes, often amid considerable antagonism. An extraordinary story was told by the deputy leader of the council when she and my colleague, Councillor Capstick went to Southwark Park home. They went in without being checked and wandered round. When a fire alarm sounded, the only people who moved were the staff. The person on duty appeared to believe that the two councillors were agency staff and started issuing them with instructions, even though they had never been seen before. That sort of thing causes considerable concern.

I do not pretend that looking after old people is easy. It is tough and I know that I could not do the job well. Some old people can be extremely demanding. I have done my stint as a hospital porter and looked after old people as part of holiday jobs when I was a student. I know how difficult it is. The objectives of the Care Standards Act 2000 must be achieved. The quality standards are urgently needed. I have heard too many complaints over the years about the standard of care in geriatric wards of good hospitals like Guy's and St. Thomas's. I have been in too many residential and nursing homes, some very expensive ones, where there is no stimulation and very little personal care. People are got up, put in a chair in front of a television, given their food and sometimes assisted with the toilet, although they may have to wait a long time for that. Even though geriatricians say how important it is, residents never enjoy the stimulus of being with young people or animals or of going out in the fresh air.

Having cared for relatives who have become senile and suffered badly from the aging process, I know the frustration that families feel when their elderly relative grows old with no dignity. I had an aunt in an old people's home who was surrounded by people who did not know what day of the week it was and who were talking nonsense. It was sad and depressing and I remember thinking that I would far rather that she was taken out for a ride every day in her wheelchair with the risk that she might not live as long, because at least she would have been having a good time. If she had a bit of a bumpy ride and a caught a cold while out in the fresh air, it might be far better than sitting cocooned indoors all day in that sterile atmosphere.

There is no difference of aspiration between hon. Members. The debate is not meant to be critical of either Labour or Conservative Governments. We all strive after the same thing, but my concern is what we can offer now until the higher standards to which we aspire are legally required. For some people it is already too late and others need a response urgently. We are going to have an inquiry in Southwark. The local authority will have a scrutiny panel. The local council and the health authority have accepted my request for an independent inspection and an independent inquiry. I hope that that will be carried out soon by someone who does not have a vested interest in the finances. I hope that it will raise the standards. I should be grateful if we could know what the minimum standards are now and what we can do if we find homes where there are so few qualified staff. What can we do to ensure that there are enough good places in nursing and residential homes, which we will need as we have more and more older people?

11.28 am

Mr. Russell Brown (Dumfries): I am grateful for the opportunity to take part in the debate initiated by the hon. Member for Southwark, North and Bermondsey

(Mr. Hughes). I was somewhat anxious when I thought about this because there are significant differences between social care provision north and south of the border. My local authority of Dumfries and Galloway was the first in Scotland to externalise all its homes. I want to comment on that and to describe some of the difficulties that it has created.

I was elected as a local councillor in 1986. Social work costs in my area were then the lowest per head in the whole of Scotland. Some people might say that that is because it was a well-off area but, on further reflection, it is because we were not spending enough on the family, child care or the elderly. I remember an inquiry into a residential home called Moorheads in Dumfries. One of my colleagues had a traumatic time listening to relatives talk about the regime—I can put it in no better terms—that operated in that home.

Standards in residential homes are important. I agree with the hon. Member for Southwark, North and Bermondsey that the way we treat our elderly people is a reflection of our society. Whether the elderly are frail or still active, the manner in which we treat them affects their day-to-day well-being. It is right to judge society in terms of the provision it makes for elderly people. Each and every one of us in the Chamber should take an interest because we all look forward to growing old gracefully and with dignity until we reach our final days.

The relationship between public and private sector residential homes has been strong in my constituency. Arguments arose from time to time, but everyone knew that they were trying to provide a service. In the early 1990s, we discovered that some local authority residential homes needed significant capital investment of about £5 million. That might seem a small amount, but it was significant in Dumfries and Galloway. The bottom line was that the council could not afford it, so it had to discover other ways—rebuild, for example—of improving the homes. At the end of the day, the answer amounted to externalisation, which some people call privatisation—selling off or giving away. Whatever phrase people use, the result is that Dumfries and Galloway no longer has any residential homes. They are now all in the hands of other organisations.

The decision to externalise was not taken lightly. Coopers and Lybrand was brought in to carry out a study and it later reported to the council. All that activity was going on in the background. The people who really matter can be placed in three categories—residents, residents' families and staff. All three work closely together, and no one of those categories should be placed above the others. People with an elderly relative in care want to be sure that, when they are at home during the evening, their relative is being properly looked after.

I distinctly remember visiting a residential home in my home town in early 1996 and being grabbed by staff to explain the council's proposals to families who were also visiting. In the end, the decision was that two companies would take over the 11 residential homes. A local company called Burnfoot nursing homes took over two homes near its base—one in Lockerbie and the other in my home town of Annan. As it was closest at hand, it was appropriate for the company to do that. Another firm, called Community Integrated Care, took over the other nine homes. The package that was pulled together by the local authority meant that, in effect, all the homes would be guaranteed payment for the beds, irrespective of whether they were occupied. Early in the financial year 1998-99, we discovered that the private sector was anxious about not getting referrals. Clearly, people were not being given the choice to which they were legally entitled and the council, through social services, was channelling people towards the homes that it had externalised. We discovered 12 months down the road that one of the homes would not receive its annual pay rise, despite the fact that the council had handed the money to the company. We later discovered that there were serious problems; anxious staff had been promised the world, but the new employer was not prepared to go ahead with the terms of the agreement.

Eventually, the company decided to buy out people's terms and conditions, and we found that people were seeing between 30 and 50 per cent. of their normal earnings being slashed. That is astounding. When we examine the standard of care, we can see that employees' hearts and souls must be in their work. I am not convinced that people's hearts and souls will be in those jobs for much longer.

Mr. David Drew (Stroud): That is not only a problem in my hon. Friend's locality. A similar situation arose in Gloucestershire some years ago. As a result, there was on-going distrust of the local authority because the smaller homes feel discriminated against in getting placements. That must be overcome quickly if we are to have the full diet of provision in each area.

Mr. Brown: My hon. Friend is right. Our experience is showing a bleaker picture than we would want.

Mr. Hammond: I just wish to complete the picture, because I have similar experiences in Surrey. Can the hon. Gentleman say whether there was a differential in the fees being paid in those externalised homes compared with other independent homes in the locality? The market is distorted not only by the local authority's desire to keep the places filled, but often—certainly in Surrey—by the fact that the local authority has agreed to pay higher fees to those externalised homes.

Mr. Brown: The answer is yes. Those distortions exist and have caused severe problems.

The initial study that was conducted by Coopers and Lybrand clearly overestimated the number of beds needed in our locality. That has already led to the closure of one home and could lead to the closure of another one or two. The impact of that would not be great but the other company, CIC, is implementing more savage cuts. Some of the staff are taking a case, through their trade unions, to the Advisory, Conciliation and Arbitration Service. Three members of staff came to see me recently and one of them said that her earnings had been cut from £16,000 to £8,000 a year. She continues to work constant night shifts and is wondering whether she should stay in the care sector.

As has been said, it is important to provide proper care in a regime based on good standards. What I and other hon. Members have seen does not convince me that such provision exists in all areas. It is tragic that the poor provision reflects on those who provide excellent care in other parts of the country. In my area,

[Mr. Brown]

privatisation has been seen as a quick fix—a way of having some excellent buildings built and others upgraded—but it has not been the answer to providing care in residential and nursing homes. It has been a bad move and staff in the caring sector are beginning to feel the rough end of it. They have had a raw deal. I appreciate that the Minister cannot speak about terms and conditions, but they are vital in regulating how people carry out their day-to-day work, which is then reflected in the care and service that we provide for our elderly people.

11.42 am

Mr. Roger Gale (North Thanet): Before injecting my usual note of discord, I start by agreeing with the hon. Members for Southwark, North and Bermondsey (Mr. Hughes), for Dumfries (Mr. Brown) and with the Minister. I have had the fortuitous opportunity of listening to him speak on the subject for many hours. The hon. Member for Southwark, North and Bermondsey is right to say that one could not put a cigarette paper between the objectives of all hon. Members on both sides of the House on the care of the elderly. We all want our elderly constituents to end their days in dignity and comfort and with a high standard of care.

When I was first elected in 1983, I represented a constituency with a large number of residential and nursing homes, many of which I visited very quickly after the election. I was appalled at the standards that I found. They stank of urine, the control over drugs was minimal, the so-called care staff had little or no training—they did not know how to make a bed, how to change an inco pad or how to lift the clients in their care, leading to back strain for the staff and bed sores for the elderly people. All in all, it was a very depressing picture and the standard of care was well below par.

With others, I began a campaign to change that situation. The Registered Homes Act 1984 went a long way towards improving conditions—even if it did not make us friends. I was assailed by many proprietors of what became revoltingly but appositely named granny farms, who felt that they were being forced into investing vast sums of money. However, the net result was that partition walls made of hardboard and chipboard, which were fire hazards, were taken down and standards of decoration, furnishing, cleanliness, general hygiene and nutrition improved. Most importantly of all, the self-respect of the people working in the homes rose dramatically. My local technical college—Thanet tech, as it then was—introduced a course to teach young people working in the homes, who tended to be between 18 and 22, how to carry out basic tasks. It does not take long to teach that, but it makes a great difference to the standard of care. We quickly found that, apart from anything else, the elderly people liked having bright young people around them who took a pride in their work, and the atmosphere changed dramatically.

The fees being paid increased. Some bad homes went out of business, but the good homes—those that invested—made more money. It is probably fair to say that, by the back end of the 1980s or the early 1990s, a reasonable balance had been struck in most cases between a fair return on investment and a fair price for a fair standard of care. It was the standard of care that was important—not the quality of form-filling, bean-counting or political correctness, but the manner in which people were looked after. They are generally elderly, but not exclusively; sadly, there are some younger people with premature senile dementia.

I do not pretend any more than any colleague in the House that I was entirely happy with everything. There were still bad homes, which were being winkled out by the inspection regimes and people such as us visiting them unannounced. I doubt whether any hon. Member who has residential or nursing homes in his or her constituency does not visit quite a few of them over Christmas, if at no other time.

The hon. Member for Southwark, North and Bermondsey made a point about the need for stimulation and an interest in the environment. At the time, that need was being met, because people had time to care. They would go round everyone regularly and ask them whether they wanted a cup of tea, whether their inco pad needed changing and whether they were all right. They had time to talk, help with crossword puzzles and do all the other little things that make the difference between real caring and "looking after" in its loosest sense.

Since that time, however, we have fallen into a downward spiral. It is fair to blame home owners only in part—if at all, in many cases—because if we want such care, it must be funded. It is all very well to say that we have a lot of homes, but there is a free and good market. The commissioning local authority and county council can go into the marketplace, drive down prices and get the best deal possible. For the council tax payer, that may, superficially, be a good thing. However, if we are to have the staffing levels and trained care staff that we need and if nursing homes are to have the nurses that they need and at the levels that the law requires, they must be paid for.

I am certain that most medium-sized residential and nursing homes, particularly the nursing homes in my constituency, make their profit on the last three beds. All the rest of the money that goes into the home is spent on running costs. We are no longer talking about a licence to print money and the bad old granny-farming days, but talking about marginal businesses. If those homes are denied their last three beds or clients, who make the difference between being viable and not viable, there can be only one outcome. Looking the Minister straight in the eye, I must tell him that the standard of care falls, because people start to cut corners on food, cleanliness and staff.

If, as in Kent, the local authority is then competing with London boroughs—which appear to us to have riches beyond the dreams of avarice when it comes to dumping their problems on someone else—we cannot win. The homes closer to London become stuffed full of those whom the London boroughs neither wish nor care to provide for. They are quite prepared to write out a cheque with someone else's money, but we are left picking up the pieces. We cannot and will not go on doing that. Indeed, residential and nursing home proprietors are not continuing to do that. They are burdened by bureaucracy, red tape and continual inspection—not of the care given to the elderly ladies and gentlemen, but of the form filling and whether there

is another half a metre of floor space for someone who will never be able to get out of bed to use it. That is why those people are giving up and going out of business. During the past nine months or so, Kent has lost hundreds of residential and nursing home beds. The result was that, through the winter crisis, the hospitals were jammed full of people who should not have been in a hospital at all, but who had nowhere else to go.

So-called care in the community—in theory, a good idea—in practice, has turned into neglect in the community. Care assistants who would like to be able to care have half a dozen clients to visit first thing in the morning. They rush around, allowing about 20 minutes for each. They need to travel by Tardis—there is little time to get from one to another—get the old girl out of bed at half-past 6 or 7 o'clock, potty her, stick her in a chair, give her a boiled egg and say, "Bye-bye, dear, no time for conversation." Somebody else comes in at lunchtime and throws something into the microwave oven saying, "There you are, dear, there is your lunch, and at half-past 4 you go back to bed." The fact that one might not want to go to bed until 9.30 or 10 o'clock at night is neither here nor there. There is no choice but what is imposed by a system that is out of control.

The moment that such people become ill, they are faced with practice nurses and general practitioners who do not have the time, energy or inclination, in many cases, to look after them. Where do they go? They go straight into a hospital, where they clog up the beds that are needed for patients who need elective surgery. They used to go into good, caring, well-funded residential and nursing homes, but that no longer happens. It is a great sadness that, having gone so far forward—we now have a real prize within our grasp, notwithstanding the fact that we have an ageing population and more people who require care—we now deny choice and do not allow even those with a little money of their own to go into home B rather than home A. They are prepared to pay a top-up from their limited resources, but must pay all or nothing. When their money has dwindled to a level such that they can no longer pay, they go where the local authority tells them to go.

I have heard the Minister speak long and often about the subject, and I believe that he cares. He must impress upon his friends in the Treasury that money is required. Counties cannot take on more and more responsibility and statutory duties from Government: for trading standards; for inspection of this, that and the other; for dog wardens, traffic wardens, wardens for whatever and more parking schemes introduced by legislation. Counties cannot do all those things and, in the case of Kent, continue to pick up the tab for the fringe requirements that are not paid for by Government of all the asylum seekers who come into the county, and still be expected to have the money that is needed to provide care for the elderly.

East Kent has an inadequate supply of nursing care for the elderly and mentally infirm. My constituents have nowhere to go, other than a mental hospital—the very situation from which we tried to move away—because the homes have closed. They have closed because it now costs £500 a week to care for such a client, but the going rate is about £300 to £320 a week. In the middle of the winter crisis, the Government gave Kent £850,000. They said, "Here is more money, buy some care." The first problem was that the care was no longer available because the homes had closed. Secondly, what happens when the short-term money runs out?

I listened very carefully—I had the opportunity to do so—to the debate on the Care Standards Act 2000. I believe that there is much good in that, which hon. Members on both sides of the Chamber would wish to support. However, to echo the point made by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) and others, it will fail unless it is backed up by real, hard cash. If it fails, we shall be failing to ensure that our elderly constituents are provided with the care to which I, the Minister, and every other hon. Member aspires.

11.55 am

Dr. Peter Brand (Isle of Wight): I congratulate my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) on initiating the debate.

The contributions of the hon. Members for Dumfries (Mr. Brown) and for North Thanet (Mr. Gale) made it clear that market forces have not worked and are unlikely to work, because in most cases the user of the service is not the commissioner of the service. I recognise that there is a move towards allowing more choice, but ultimately people tend to go where there is a space. In the early days, there was massive over-provision. When the tourism industry became less successful in seaside towns, people turned to granny farming, as the hon. Member for North Thanet said. Over-provision does nothing for standards. Matters started to improve only when standards were introduced through inspection and registration regimes. I am glad that some of the homes that I used to visit have closed, because their standards were appalling.

One cannot rely on market forces and not regulate. Regulation is important, and the Care Standards Act 2000 will make a big contribution to that—not only in terms of bricks and mortar, but through training and the way in which employees are valued as a result of the minimum wage. It is right that such measures were, and will continue to be, introduced. However, not every residential or nursing home can continue to subsidise its local authority placements through cross-subsidy from self-funders or top-up fees from relatives, which will be allowed in the near future. The essential point that the Government must recognise is that it is no good taking the view that local authority fees are similar around the country and are therefore right. My local authority justifies its fee levels by saying that they are comparable with those of all other local authorities in similar circumstances. I have had representations from at least six parts of the country in which that argument has been used. There appears to be a conspiracy among local authorities to keep fees down.

Market forces are beginning to work in a negative way. People are moving out of care home provision. Even a respectable organisation like Methodist Homes is shutting its care home on the Isle of Wight because it cannot be bothered to upgrade it. That is extremely worrying.

Mr. Hammond: I am not here to speak on behalf of Methodist Homes, but it is a little harsh to say that it could not be bothered to upgrade the home. I believe

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that its position is that it cannot go on indefinitely subsidising local authority underpayments from its own charitable funds.

Dr. Brand: That is a charitable interpretation of what it is doing. It is sitting on a prime site of potential residential value, and will make money at the expense of its residents on the Isle of Wight.

Mr. Hammond: It is a charity.

Dr. Brand: It is a charity that should feel an obligation to people who have been in its homes for many years, and should offer some degree of stability.

We need care homes and nursing homes. The national health service depends on them and the care of people depends on them. I welcomed the Government's establishment of the royal commission on long-term care, which recognised the continuum between acute and chronic and long-term care. However, I am disappointed that they did not accept the commission's recommendation that personal care—the care that people need owing to their disability or infirmity—should become the responsibility of the NHS. In reality, we have created not care in the community, but a way to enable the national health service and the public sector to shuffle off responsibility by pushing people into the private care sector. Like the hon. Member for Dumfries, I went through the same, extremely difficult process of externalising a group of homes.

If the royal commission's recommendations had been accepted, there would have been greater expert input into residential and nursing homes. Occupational therapists, specialist nurses and community psychiatric nurses would have been much more proactive in the residential part of community care. There would have been many more community geriatricians, particularly psycho-geriatricians. When expertise is brought into such settings, a lot can be done. The use of community pharmacists has to some extent revolutionised older, often confused people's over-dependency on drug regimes. Drugs increased their confusion, so they had to be drugged further to render them confused and quiet rather than confused and disturbed.

The Care Standards Act 2000 will take us a great deal further forward, but without proper funding from the centre, there will be care standards for non-existing provision. That would be tragic. Not everyone can be maintained in their home, although such efforts are indeed welcome. However, not everyone needs to be in a district general hospital or a reconstituted long-term ward. It is right to allow people to remain in their locality in sensitively run residential provision, and the private sector has demonstrated that, with adequate funding, it can provide a service.

It is very worrying that home closures in my island constituency are threatening people with rehousing not only in a different community or village, but away from their own island, on which they may have lived for 70 or 80 years. I hope that the Government will take urgent action and review available residential and nursing home provision. The Minister cannot simply say that the problem affects only 7 per cent. of the population; he must consider the pain felt in different parts of the country and take steps accordingly.

12.3 pm

Mr. Philip Hammond (Runnymede and Weybridge): I, too, should like to congratulate the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) on securing this debate. He expressed the principal worry that something needs to be done immediately—before implementation of the provisions in the Care Standards Act 2000—to ensure higher standards. My concern, which other hon. Members have already articulated, is that it is questionable whether the 2000 Act and the minimum standards that it will introduce will prove deliverable, given the financial constraints on the sector and local authorities.

I pay tribute to the hon. Gentleman and to others for their contributions, particularly my hon. Friend the Member for North Thanet (Mr. Gale), who must have found it painful to mask his evident knowledge of, eloquence on and passion for this subject during the many hours in which he has chaired relevant Committees. He put his finger on the key issue when he talked about quality of care—it is indeed a question of measuring not size of rooms or numbers of staff, but the quality of care. Although I entirely agree that there is not a millimetre between the positions of the different parties and individuals in our ultimate aspiration to offer dignity and proper comfort to elderly people in their declining years, there are some differences about how to tackle the issues involved.

One of the important differences is the distinction between measuring inputs and outcomes. If we have a criticism of the Government's approach with the Care Standards Act 2000—and the national minimum standards set within it—it is that it is too prescriptive and too focused on measuring inputs. The Government have too much of a check-the-box mentality, ignoring at their peril the quality of care being delivered, which my hon. Friend the Member for North Thanet emphasised so strongly.

The Minister wrote to me recently in response to a letter that I sent regarding a nursing home in Essex that was under threat of closure. The letter said:

"homes which provide good quality care should have nothing to fear from the introduction of national standards."

There is a narrow definition of what constitutes good quality care. It is evident to me, to people in the sector and to my hon. Friends that homes that provide perfectly good quality care will fail to meet the mechanistic, bureaucratic tests laid down in the national minimum standards regulations. I question the use of a regulatory approach to drive up care standards. None of us disputes that regulations are required to ensure proper minimum standards and the safety and well-being of people living in residential care homes, but the Government seem to believe that we can legislate for everything, including good-quality care. While we need minimum standards to pick out rotten apples and protect people in residential care, it is essential to foster choice and diversity to ensure good standards of care.

Good standards of care are not only about measuring objective things; they are about empowering people. We must remember that residents in homes are people, not numbers or statistics. They will have different needs and wants, some of which may seem strange to those of us from a different generation, but which must be respected none the less. An essential prerequisite of achieving that

choice and diversity and ensuring that quality provision can be purchased by responsible local authority purchasers is to secure the supply base and the volume of supply. Unless we can ensure that there is such a supply base, we shall run into the trap identified by the hon. Member for Isle of Wight (Dr. Brand) that local authorities will be faced with the dilemma of what to do with a provider who cuts corners and does not comply with the minimum standards regulations. Such local authorities will be placed in an impossible position. They must provide care for the people who need it, but the crisis in which the industry finds itself means that in many parts of the country—although not Dumfries, apparently—there is a significant under supply, which dominates the balance of power between purchasers and providers.

I want to highlight the fact that some of the minimum standards that are laid down under the Care Standards Act 2000 address the matters that need to be considered in a set of minimum standard regulations, and others effectively constrain choice in that they define for people what their choice should be. I put it to the Minister that in practice a prescriptive set of national minimum standards is stifling, not fostering, choice. We believe that that will not enhance the overall quality of care.

The Minister of State, Department of Health (Mr. John Hutton): I apologise to the hon. Gentleman for interrupting his speech because I know that he, like me, does not have much time left. Have I rightly interpreted his remarks as meaning that he is now opposing the national minimum standards that we have published? Does the Conservative party not support those standards?

Mr. Hammond: Some of the national minimum standards address issues that are genuinely the preserve of a regulatory regime. We believe that genuine and sustainable quality will be fostered by the promotion of diversity and choice. We have had this debate many times, and the Minister knows my views. To the extent that the national minimum standards are limiting choice and diversity of supply, and certainly to the extent that they are reducing the amount of supply available, they will do nothing to enhance standards.

I am grateful to my hon. Friend the Member for North Thanet for making the obvious but important observation that quality costs. The Government have not recognised that the regime to which they aspire has a huge price tag attached to it. In Committee, I repeatedly asked the Minister whether the Government recognised that they must pay for the substantial increase in costs that both independent and local authority homes will face in delivering the quality agenda. No one disagrees with the quality agenda, but it is living in a cloud-cuckoo world to imagine that one can impose it without dealing with the cost issue. Cost pressures have become more acute since we debated the Care Standards Act 2000. The increase in the national minimum wage, which has not had a significant impact on London and the south-east, has had a huge impact outside that area on an industry that incurs 70 per cent. of its costs in wages and salaries.

Most local authorities have increased their fees to independent sector providers in line with the preserved rights fee level increase, which will be 1.8 per cent. from this April. Yesterday, the Secretary of State for Social Security interestingly indicated in a written answer that the Government intend to increase preserved rights benefits by a further 1.9 per cent. as soon as possible this year, which would give a total increase of 3.7 per cent. I welcome that, and so will the industry. However, can the Minister tell us how he intends to ensure that local authorities, which have traditionally taken their lead in setting the following year's budgets from the preserved rights settlement announced by the Department of Social Security in the autumn, are encouraged and enabled to follow that lead when they have already set this year's budgets? Most of those budgets do not leave any slack to provide further uplifts in payments to home operators.

The Minister will, of course, quote overall levels of Government support for social services and the level of funding to social services in general. The figures that he will quote are, of course, correct. However, he will acknowledge that there are other pressures on those funds. Even within the social services area, huge increases in the cost of children's services are squeezing available resources for care of the elderly.

I should like to quote to the Minister from a letter sent recently from the leader of Kent county council to the Secretary of State, in which he outlined two additional costs that all local authority social services departments will be facing as a result of legislative changes. The letter states:

"an increase to the capital limits would result in a loss of income, as people with capital between £16,000 and £18,500 would no longer be expected to pay the full costs of their care, but would be part subsidised by us. For that reason . . . a prudent sum of £1 million was budgeted. In the event, the fact that capital limits for the purposes of assessing income support have not been increased in tandem means that the loss of income is far greater. In effect, this represents £4-£6 per week for every client with capital of between £10k and £16k; and more significantly, £170-£180 per week for every client with capital between £16k and £18.5k."

The total cost for Kent will be about £2.5 million, compared with the £1 million originally budgeted. That is just an example of the pressure from all sides that the sector faces. Will the Minister deal with that point? He will have had a chance to consider it because he has seen the letter from the leader of Kent county council.

There is a crisis in the care sector. Some 15,000 beds were lost in the year to April 2000 and we estimate a loss of up to 40,000 beds in the current year. The impact on the national health service is serious, as the hon. Member for Isle of Wight mentioned, with delayed discharges from hospitals and, perversely, the reopening of the Nightingale format geriatric wards in NHS hospitals to take the patients who cannot be discharged. Those wards offer the kind of conditions that the Government are committed to stamping out, to which end they introduced the Care Standards Act 2000.

Time does not permit me to rehearse in detail all the aspects of the national minimum standards that are causing huge concern to the industry, but the Minister knows what they are. They include physical standards, room sizes and sharing ratios. Although those are not necessarily bad things, they are unrealistic given the inability, or unwillingness, to fund the changes and capital investment required. If rigorously enforced, they will lead to a contraction of the sector and to a reduction in its diversity. Independent family-run homes will

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close, especially those located in listed country properties that cannot be converted easily to meet the standards, and Posthouse-style, corporately owned care homes will take over their role.

Perhaps that is the Government's agenda. Perhaps they find it easier to deal with a handful of big corporations than a large number of independent providers. However, that appears to me to be destructive of choice and diversity and it will not lead to the improvements in care standards and quality to which we all aspire.

I shall give figures from two local authorities that summarise the problem. The cost of delivering care in Coventry's local authority residential care homes is £470 a week. It offers independent sector care providers £121 a week. The London borough of Hackney spends £851 a week on its own homes. It offers independent care providers £284 a week. To anyone with an O-level in economics, it is obvious that the outcome will be a rapid and continuous contraction of the sector, and an inadequacy of supply that will make it impossible for anybody—local authorities or national care standards commissioners—to enforce the quality standards that the Government, and all of us, want.

If the Government cannot address the supply problem, the 244 specific standards required for registration under the national minimum standards will be the straws that break the camel's back in many parts of the independent care home sector.

12.19 pm

The Minister of State, Department of Health (Mr. John Hutton): I congratulate all hon. Members who have contributed to what has been a well-informed debate. A lot of common sense has been spoken, but I shall refer specifically to what was said by the hon. Member for Runnymede and Weybridge (Mr. Hammond) because many of his figures were wrong and his arguments were less than persuasive.

In essence, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) raised three related issues. He referred to the need for adequate funding and asked whether the funding available to Southwark council would be sufficient this year. He also referred to his concern about existing registration and regulation arrangements, particularly during the interim period between now and April next year when the National Care Standards Commission comes into operation. He then asked some important questions about training arrangements.

I agree with much of what was said during the debate about quality through registration and inspection being an important part of the overall equation, but we must not lose sight of the fact that about 80 per cent. of those who work in social care have no recognised qualifications. Given the importance of the care sector, the essential infrastructure of our wider care system is unacceptable and we must improve the training and qualifications of the social care work force.

Funding is central to everything that has been said during the debate. The hon. Member for Runnymede and Weybridge rightly anticipated, as he usually does, that I would read out a long list of statistics about spending on social services. In fact, I shall not do that today because the figures are on the public record and he and other hon. Members are aware that by 2003-04 the money available for social services spending will increase from just under £10 billion to just under £12 billion. That is a substantial increase. The hon. Gentleman and his hon. Friend the Member for North Thanet (Mr. Gale), who spoke well on the subject, particularly when requesting more money, will anticipate what I am about to say. We are making substantial additional resources available. I can tell them, for example, the amount of extra spending that is available for Kent this year. The arguments about additional resources to fund not only national minimum standards but the wider range of services commissioned by local authorities would stack up a lot better if they would say that they would match the resources that we are making available over the next three years.

Mr. Hammond *rose—*

Mr. Hutton: I shall not give way just yet.

I have repeatedly asked the hon. Gentleman and his hon. Friend to say that they would match the resources that we are making available for social services during the next three years and they have conspicuously failed to do so. However, they say that they would match our spending rises on education, which is also a local government financial responsibility.

Mr. Hammond: The Minister quoted a significant rise in Department of Health spending on social services to £12 billion and I am pleased to repeat the assurance that my right hon. Friends the Members for Richmond, Yorks (Mr. Hague) and for Kensington and Chelsea (Mr. Portillo) have given that we are committed to matching in full the total Department of Health budget, including social services spending within that budget.

Mr. Hutton: Yes, but the hon. Gentleman knows, because I have said before, that of the £12 billion only about £2 billion is Department of Health spending. The other £10 billion is local government spending. We are making that resource available to local government to spend on social services. He and his hon. Friends have conspicuously failed to say that they will match that level of commitment.

Mr. Hammond: Will the Minister give way?

Mr. Hutton: No. I will not. I gave the hon. Gentleman a chance to make his point, but he did not do it terribly well.

To be fair to the hon. Gentleman and his hon. Friend, I accept that more spending is required on social services, but we are doing that in an unprecedented way. To compare like with like, let us examine the record of spending on social services during the previous Parliament because that will provide a reasonable indication of the Conservatives likely commitment if they return to office. During the previous Parliament, spending on social services rose by 0.1 per cent. in real terms. That is the reality. We are providing additional resources as quickly as the country can afford and that is a result of the state of public finances and the

improved state of the economy. Those resources are coming on line. If we compare like with like, social security resources are experiencing unprecedented growth and that is the reality. If the hon. Member for North Thanet is saying that he wants more than that to be made available, he should have that discussion with his Front-Bench spokesmen.

Mr. Gale: My concern is that the increase in cost is not directly related to care. Many of the burdens of cost are directly related to bureaucracy, which has nothing to do with care. Costs are ratcheting up in a way that, I suspect, they would not under a Conservative Government.

Mr. Hutton: I guess that that is something we will never know because there will not be a Conservative Government to put that theory to the test. I am as concerned as the hon. Gentleman to minimise bureaucracy, and what can loosely be described as red tape. I am not in favour of a red tape system of regulation for the care home sector and that is why we have worked closely with care home providers to produce national minimum standards. Contrary to what he says, such standards have been widely welcomed by the care home sector. They represent a substantial step forward, particularly in the difficult area of fiscal standards. We have tried to compromise to reach a sensible set of working standards that will improve the quality of care, which we all want, without imposing unworkable burdens. That is why the original proposal of 10 sq m as the minimum useful floor space has been reduced to 9.3 sq m where there is compensating space elsewhere in the care home; that is a sensible compromise. We are not trying to drive anyone out of business; we want to support diversity and choice of provision across the sector.

The hon. Member for Southwark, North and Bermondsey's point about spending was well made. I share his concern that there must be adequate resources available to local authorities. As I am sure he knows, there will be a 6 per cent. cash increase in resources available to Southwark social services—a sufficient resource envelope that is available to the local council to address some of his concerns. I am aware of the concerns that he raised about the two care homes. I will make sure that my officials maintain close contact with Southwark council to ensure that his concerns, and those of his constituents, are properly addressed as work progresses.

The training issue is also important. The hon. Gentleman might want to examine the national minimum standards—I see that he has that information with him. He will see that standard No. 28 addresses how we might improve the training qualifications of staff in care homes. We have said that from 2005, 50 per cent. of care staff, excluding registered nurses, should have a proper professional qualification—initially a national vocational qualification at level 2. That will be a substantial improvement. I accept that there will be resource implications attached to that, which is why we have begun funding the national training strategy about which the Training Organisation for Personal Social Services published information last year. That will be a three-year programme of investment and we will examine ways of proceeding with such investment. We must start somewhere, and we would obviously not have chosen to start from our current position where we find that there are not enough properly trained care staff. I think that the hon. Gentleman's description of care standards in Southwark is pretty accurate, and could apply to other parts of the country. We must start from this position, but we are making improvements.

Wider concerns have been raised by many hon. Members relating to the general efficacy and efficiency of the existing registration and inspection arrangements. We changed the law because we are not satisfied that the present arrangements are sufficiently independent or robust. The hon. Members for Runnymede and Weybridge and for Isle of Wight described the dilemma of local authorities finding themselves in the catch-22 position of being inspector and regulators, while also being commissioners and providers of care. Those are difficult roles to discharge simultaneously, which is why we have removed the inspecting-registration function from health and local authorities and given it to the new National Care Standards Commission.

Mr. Hammond: Will the hon. Gentleman give way?

Mr. Hutton: With respect, I will not give way because I have only a short time left.

We have removed the Hobson's choice that faced local authorities and allowed them to concentrate on what they should be concerned with: the commissioning process. In some cases, local authorities are still directly providing services, which is a local choice.

Dr. Brand *rose—*

Mr. Hutton: With great respect to the hon. Gentleman, I will not give way.

Through the Care Standards Act 2000 we want to remove the difficult dilemma that local authorities face, and put in place robust independent inspection arrangements. The difficulty raised by the hon. Member for Southwark, North and Bermondsey will be addressed by what is to happen in April next year. He knows the answer to his question about what will happen between now and then. It is currently the responsibility of both local and health authorities to apply their local standards and to inspect homes against set criteria. From next April, that function will transfer to the National Care Standards Commission and a new set of national minimum standards, that have been set centrally in the Department of Health after consultation, will form the benchmark against which care homes will be inspected. We have consistently told local authorities that in the next 12 months or so as we move from the current arrangements to the new system, no one must take their eye off the ball. Change is difficult—

Mr. John Cummings (in the Chair): Order. We must move on to the next debate.

Pensions (Expatriates)

12.30 pm

Mr. Tom Cox (Tooting): I welcome the debate and the opportunity to raise an issue of great concern to many British-born people who now live in Commonwealth countries. I have an interest in that I chair the United Kingdom branch of the Commonwealth Parliamentary Association and the subject has come to the attention of our executive committee. At a recent meeting of the British-Canadian parliamentary group, the Canadian high commissioner raised the issue with hon. Members and expressed his concerns. I recently had a long discussion with the Australian high commissioner on this subject.

In May last year, I asked a parliamentary question and I have with me today the reply given by my right hon. Friend the Minister of State, Department of Social Security. The issue is clear cut. When United Kingdom citizens retire to certain Commonwealth countries they find that their state retirement pension is frozen at the rate it was when they left the UK. That happens in Canada, Australia, New Zealand and South Africa. A system is in place in many other Commonwealth countries to enable British expatriates who receive their state retirement pension to benefit from any increases that may be made by the United Kingdom Government.

This is not a new issue. It has prevailed for many years. Early-day motions have been signed by many right hon. and hon. Members from all parties. A great number of questions have been asked on the matter. The problem is therefore very well known. It greatly angers retired people from the UK who now live in Commonwealth countries and who receive no uprating in the state retirement pension. No matter how long they may have worked in the UK or how many contributions they have made towards the cost of their state pension, no increases are paid.

There are organisations that represent United Kingdom pensioners in many Commonwealth countries. The Canadian Alliance of British Pensioners feels angry and badly let down by successive UK Governments and says:

> "By ending this shameful pension discrimination the British Government would display the integrity its citizens expect, enable pensioners to afford the personal care and standard of living required in their retirement years, help return some degree of pride to the lives of pensioners and bring Britain in line with all other developed countries."

That clearly spells out the views of a major pensioners group in Canada. I am certain that it also reflects the views of pensioner groups in any Commonwealth country where United Kingdom state pension increases do not apply.

All hon. Members will know about an organisation that works with retired people in the United Kingdom—the highly regarded Age Concern, which is currently campaigning to secure dignity and security for elderly people in the United Kingdom. People from the United Kingdom now living in Commonwealth countries where the state pension is never increased want precisely the same commitment. They want dignity and security in their retirement and they are absolutely right to expect it.

This month sees pension increases of £5 per week for a single person, £8 for a married couple and a £200 winter fuel allowance. The decision to implement those increases was taken by the Government. I am sure that my hon. Friend the Minister will have played a major role in securing those measures, which are a step in the right direction and have been warmly welcomed on all sides of the House. Hon. Members contemplating doing away with them quickly changed their minds when they realised how popular they were with retired people in the United Kingdom.

It is easy to understand the deep concern of retired people in receipt of a state pension from the United Kingdom that will not be increased because they live in a particular Commonwealth country. How unfair and unjust that policy must seem. Under the present system, those people will never receive a pension rise simply because they have retired to a specific Commonwealth country. Had they retired to a different Commonwealth country, they would have received any and all pension increases introduced since they left the United Kingdom. For example, elderly people who have retired to Canada fail to receive pension increases, but those who have retired to the country next door—the United States—receive those increases.

About 138,000 pensioners from the United Kingdom currently live in Canada. In 1972 the United Kingdom proposed a new agreement with the Canadian Government under which pension increases could take place. The Canadian and UK Governments held discussions, so will the Minister tell us what went wrong with them? In a written answer to my question on 16 May last year—at column 120W in *Hansard*—I was told by my right hon. Friend the Minister of State that 470,000 UK retired people living overseas did not receive any pension increase because their pensions were frozen when they left the UK.

The other Commonwealth country that is badly affected is Australia, where 215,000 UK pensioners now live. The Minister will be fully aware of the changes that were made last month by the Australian Government. Can he tell us what the effect of those changes will be on retired British citizens who are living in Australia or who may go to live there in future? I understand that there have been discussions with the Australian Government and the Department of Social Security. Will the Minister tell us about those discussions? Will the position of UK citizens living in Australia now or in the future be protected? There are 215,000 retired UK people living in Australia, so we can understand their interest and concern about the issue.

So far, I have spoken about Canada and Australia, but other Commonwealth countries have no uprating of pensions for retired people from the UK. Those countries are South Africa and New Zealand. We are not talking about large numbers of retired people from the UK compared with the figures for Canada and Australia, but numbers should not be the key factor. Retired people from the UK who contributed to their state retirement pensions have gone to live in Commonwealth countries and then found that their state pension had been frozen, so that they do not receive any increases made in the UK. I can well understand such people complaining about how unfair the system is, and my hon. Friend the Minister must recognise that it is hard to defend.

Let us examine the countries in which UK citizens will receive UK increases in their state retirement pension. I have already mentioned the pleasure expressed by pensioners here at the increases of £5 and £8 that will apply from later this month. How popular those increases will be in places such as Bermuda, Cyprus, Jersey, Malta, Jamaica and Barbados; all are Commonwealth countries where state pensions are uprated when increases happen in the UK.

UK citizens who have gone to live in countries such as the United States, the Philippines, Turkey, Israel, or Switzerland—not one of them a Commonwealth country—will, in time, have any UK pension increase paid to them. How does the Minister think that UK citizens feel if they live in a country where there will be no uprating? I know that I would feel very bitter. The problem has continued under successive Governments who did not take the right decision. Hon. Members from all parties support the proposed changes because, like me, they believe that the existing system is unfair. If Members of Parliament had a free vote on the issue there would be massive support for changes to the present system, and no one, not even my hon. Friend the Minister, could say, "Oh, it could not be done." I accept that cost is a major issue, but it should not be used repeatedly as the reason for doing nothing and simply saying, "Oh, we know of the concerns in countries such as Canada, Australia, New Zealand and South Africa, but we can't change the system because of the cost involved." Governments can implement change and discuss with other Governments how new policies can be introduced. What discussions are the Government having with the Governments of the countries to which I referred?

As I said, I know from my role as chair of the United Kingdom branch of the Commonwealth Parliamentary Association that the high commissioners of Canada and Australia and many other people will follow the debate closely, especially the Minister's reply. Cost should not be the only concern; there is also the issue of fairness, and the present system is most unfair.

12.46 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): I congratulate my hon. Friend the Member for Tooting (Mr. Cox) on securing the debate on such an important subject. He made his case very powerfully. As he said, the matter has been discussed by the UK branch of the Commonwealth Parliamentary Association; I know of the association's value as a point of contact between parliamentarians in this and other Commonwealth countries as I was a member of the CPA executive before I was given my present job by the Prime Minister.

My hon. Friend may be surprised that I am replying to the debate; I was asked to do so by my right hon. Friend the Minister of State, who is in Committee considering the Social Security Fraud Bill.

As my hon. Friend knows, the issue has been discussed for many years. He has tabled several parliamentary questions on the matter and it was the subject of a short debate in January in the House of Lords. I am aware of the strength of feeling of many British pensioners overseas who have raised the issue over the years.

Pensioners overseas have paid national insurance contributions; however, the money that an individual pays to the national insurance fund is not earmarked for that person and never has been. The national insurance system works on a pay-as-you-go basis and has done so ever since it was established. Contributions paid into the scheme in the past were paid out long ago to people who were entitled to pensions and benefits at that time.

The contribution rate paid in the past took account of the range of benefits payable at the time which, of course, did not generally include the uprating of pensions in all foreign countries. If the scheme had uprated pensions in all countries, the cost would have been higher and would not have been covered by the contributions.

Paying contributions has never given an automatic entitlement to benefits. The national insurance scheme is different from a commercial insurance scheme in which premiums are linked to expected benefits. Although national insurance contributions provide a foundation for calculating personal future benefit entitlement, the contributions do not actually pay for those benefits.

The agreement between the individual and the state is that the payment of contributions gives entitlement to a package of benefits subject to certain conditions. One condition is that retirement pension upratings are generally not payable abroad. That comes from the 1955 legislation, which provided for pensions to be paid abroad, but not for uprating.

The rate of national insurance contributions has never included an element for the indexation of pensions payable abroad, because the social security scheme is designed primarily for those living in the United Kingdom, and any uprating in the pension is designed to meet the cost of living here. Overseas pensions are annually uprated only if the pensioner lives in the European Economic Area or if we have a reciprocal agreement with another country that specifically provides for upratings. Over time, we have concluded agreements that allow for annual upratings with more than 30 countries. Bilateral social security agreements can be the means of providing for the uprating of UK pensions, but their function is mainly to provide co-ordination between social security schemes, so that workers moving between the UK and another country obtain a degree of cover for contributory benefits from one country to another. The costs of making such agreements are an important factor, as I am sure that my hon. Friend the Member for Tooting will recognise.

UK pensions are payable anywhere in the world. We pay about 900,000 pensioners in more than 200 countries, but only about half of them receive annual cost of living increases. Elsewhere, retired people continue to receive their pensions at the rate that was payable when they left this country. Those who left the UK when they were younger receive a pension payable at the rate in force when they claim their state retirement pension.

My hon. Friend compared the situation in America with that in Canada and asked why different arrangements operate in respect of our retired pensioners in those countries. There is a historical explanation. In 1969, the UK made a social security agreement with the USA, which provided for future increases in UK state pensions and widows benefits to be

[Mr. Hugh Bayley]

received by UK pensioners living in the USA and for the USA to pay its retirement pension to American citizens living in the UK. It also pays upratings to those pensioners living in the UK.

Between 1969 and 1972, discussions about a reciprocal agreement took place between officials from the then Department of Health and Social Security and the Canadian authorities—on the DHSS's initiative. The UK proposed a comprehensive agreement with Canada and tried to persuade it to export its old-age security pension under such an agreement, but the Canadian Government were unable to agree. It seems that Canadian legislation precluded the inclusion of its old-age security pension in reciprocal agreements.

In 1977, Canadian legislation was amended to allow the making of reciprocal agreements involving the export of the Canadian old-age security pension, and Canada indicated its willingness to resume negotiations. At that time, however, UK Ministers decided that insufficient resources were available for increasing the rates of UK pension payable in Canada. There are, therefore, reasons why differences occur in social security agreements, for instance, the different histories of negotiations on an agreement with the USA and with Canada. More than 90 per cent. of those pensioners who do not receive upratings live in Australia, Canada, New Zealand and South Africa. Although we have social security agreements with Australia, Canada and New Zealand, they do not provide for upratings.

My hon. Friend asked about the effects on UK citizens of Australia's decision unilaterally to revoke its social security agreement with us. The agreement helped people who went from this country to live in Australia to satisfy the 10-year residence test for the Australian retirement pension, which is called an age pension. An age pension is means-tested, so a person receives it only if his or her income is below a certain level. It is not like our basic state pension, which is a universal pension. Therefore, the amount of age pension that a Briton retiring in Australia receives depends on his or her financial circumstances. As a result of Australia's termination of the agreement, people who go to Australia after the end of the agreement will, because of its 10-year residence rule, have to wait 10 years before they can get any Australian pension. The Australian Government have estimated that in the first year around 850 people living in Australia will be affected by the termination of the agreement. Those who benefited from it before its termination will continue to do so. However, people who leave Australia to live in the UK before reaching pension age cannot get Australia's age pension because, unlike our pension, it is based on a residence requirement.

The British Government are protecting people in the UK who lived in Australia when the agreement was in force by continuing to allow residence in Australia to count towards a basic pension. To unfreeze pensions entirely in all four Commonwealth countries would cost about £310 million in 2001-02, an increase of more than 20 per cent. on current expenditure on overseas pensions. To pay future cost of living increases in those countries alone would cost around £30 million in the current year, rising each year until all pensioners in those countries were paid the full UK rates and eventually reaching a similar cost of more than £300 million a year. The principal difficulty in extending the payment of pension uprating abroad is the cost of doing so. This year the Government will spend about £1,410 million on payments to pensioners living abroad and if, from this month, all pensioners living abroad were paid at the same level as pensioners in this country, the figure would rise to around £1,740 million, an increase of more than 20 per cent. or around £330 million.

There are huge demands on the UK social security budget and there are many unmet needs. The Government have to make choices about priorities. Our priority is to spend any available resources on pensioners in this country, concentrating on the poorest. We have made a start, but there is still much to do to relieve pensioner poverty. It is sometimes argued that the cost of pensions uprating should be offset by the saving to public services here, in particular the national health service, which pensioners overseas do not use. However, we do not know what calls such pensioners might make on the national health service; many of them went abroad long before reaching retirement age and so for many years did not contribute towards health service costs. To pay them uprated pensions would still constitute a major cost.

As I said earlier, the issue of pension uprating has periodically been bought to the Government's attention, as it was brought to the previous Government's—as my hon. Friend the Member for Tooting acknowledged. However, successive Governments have followed the same policy since the regulations were introduced in 1955. I understand and have sympathy with the arguments in favour of a change in policy, but we cannot disregard the huge cost involved. Therefore, I cannot hold out any prospect of adding to social security expenditure by increasing our spending on pensions overseas. As I said, our priority must remain to spending available resources on pensioners in this country, particularly the poorest.

Magistrates Courts (Devon)

12.59 pm

Sir Peter Emery (East Devon): I have not spoken in a debate in this Chamber since it ceased to be a hemicycle; the new layout is slightly more appropriate and lends itself more to debate.

I have crossed swords with the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Liverpool, Wavertree (Jane Kennedy), on this subject a number of times. I first raised the closure of magistrates courts in Devon on 1 January 1989. I try to be logical and reasonable in my approach, as I may then stand a chance of persuading people to listen to my views, and perhaps to act upon them. Therefore, I have tried to be logical and reasonable in my arguments for keeping open seven magistrates courts in Devon, which the Government have now condemned to extinction.

I start by asking the Parliamentary Secretary why—and when—the Government turned away from their declared policy of strengthening local justice. In a recently published pamphlet, the Lord Chancellor stated:

> "To achieve all our ambitions will not be an easy or simple process but this Government is committed to making a real difference in the quality and the range of services that can be delivered for the civil justice system."

Does the Lord Chancr honestly believe that closing magistrates courts in Devon and other parts of the country will achieve that aim? In Wales, in Wessex, and in the midlands people are shouting that it is not right or fair that magistrates courts, which exist for citizens' benefit, should be closed in this manner.

Is it logical to ask people to travel 32 miles from Axminster to Exeter, for example, for their case to be heard? It is like asking people from Reading to travel to Ealing; I use that example because, as the Minister knows, I once represented Reading in the House. Would not the hon. Lady think it mad if people living in Ealing had to travel to Reading to attend a court hearing? It is exactly the same distance as from Axminster to Exeter. If the Government suggested that people in Ealing, or any other part of London, should travel such a distance, they would say that the Government were mad. Why is it mad in London but not in Devon?

Mr. Richard Livsey (Brecon and Radnorshire): I congratulate the right hon. Member on securing the debate. I agree with what he says, although Ealing and Reading have public transport. In my constituency in mid-Wales, we ask whether people should travel from Llandrindod Wells to New Town, which is 30-odd miles and from Ystradgynlais to Brecon, which is another 30 miles, making a 60-mile round trip. I entirely agree with the right hon. Gentleman that what is proposed is completely unreasonable because people cannot get to court by 10 am.

Sir Peter Emery: The hon. Gentleman has moved on to the next piece of logic. Is it logical to ask people who live outside Axminster to get to court at 10 am or 10.30 am? They have to go the night before, or they cannot get to court on time. The Minister said in her letter to me that courts would be understanding about the timing. I have an illustration of that. The judge told one lady, "We will hear your case at 2.30 pm." She said, "That is very kind of you, your honour, but I hope that it will be over by five to 3, because I have to catch the 3 o'clock bus or I can't get home." Is that logical or reasonable? Does it make sense in terms of local justice, which the Minister claims that she wishes to further?

I turn to the availability of justices of the peace. One of the foundations of local justice has been not only that it could be heard within the area in which crimes—often petty crimes—are dealt with, but that justices of the peace were people who knew the area and often knew some of the laggards who kept appearing before them. That was local justice being administered fully and properly. Now, JPs from the Axminster area have to sit in Exeter, where there is no assurance that they will hear cases relating to the area that they come from. One JP said to me, "The only cases I ever heard were from north Devon, of which I knew absolutely nothing." Another said, "I am giving this up. Having to travel 70-odd miles to court and back just to sit is not what I was contracted to do. That is not how the deal was set when I was happy and willing to become a JP."

What does that logically portend? I believe that it portends something about which the Lord Chancellor would be very happy, but which I believe to be wrong, and condemn—that is, moving away from having local magistrates to having only stipendiary magistrates sitting all the time as, one might say, junior judges. That is not local justice as it has been built up in this country, and it should not be encouraged by any right hon. or hon. Member of whatever party.

Problems arise in relation to solicitors. A solicitor in my area has complained about the way in which the magistrates courts committee undertook the lengthy period of consultation before Axminster magistrates court was closed. There is a panel of duty solicitors at Axminster, and I should have thought that the committee would have had to insist that that was one of the first areas of consultation, but consultation there was none. The hinterland of Exeter, Taunton, Yeovil, Dorchester and Weymouth is about 50 miles wide by 20 miles deep and has a population of about 1.2 million. In that area, only four firms and one sole practitioner undertake work for the new criminal defence service. Of course, solicitors in those towns undertake criminal work, but defendants have to travel to see them and have to travel to court.

The Legal Services Commission and the criminal defence service are beginning to realise that that sort of local justice gives rise to several problems. It would be unrealistic and hopelessly uneconomic to open a criminal defence service office outside every major town, but that might be what we are coming to. Firms that undertake criminal defence service work are unlikely to have a dedicated criminal defence solicitor to replace those who have worked on the panel, and distance again becomes a major concern.

The unreasonableness of all this can be shown by a number of factors. For example, a constituent of mine from Hawkchurch arrived for court at Axminster. He shouted to the clerk, "The bus has only just got in and I have run all the way up the hill." The clerk told him that he should have taken an earlier bus, but my constituent,

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[Sir Peter Emery]

whom I know very well replied, "I caught the only bus. There is not another. It is the only one and runs once a week on a Tuesday."

I know that that sort of thing makes the Parliamentary Secretary and those who live in London and other cities smile, but we are talking about local justice in country areas. Another example is of a man from Sidmouth being summoned to appear on an allegation of driving without due care and attention. It was probably true as I think that he had hit some parked cars. He was a widower and dependent on his car for shopping. He had not driven out of Sidmouth for 20 years, but he drove to Axminster for the privilege of being disqualified, and he had to leave his car there.

The journey was only 20 miles, but there are no such problems in the cities. I am concerned that the decision that was taken in Devon was breached as a matter of convenience for those running the service, rather than for the customers or solicitors. The police are happy not to have to go to certain courts. Reliance—the private company that drives people to and from the courts—is more than happy not to have to travel to Axminster twice a week. The magistrates courts committee sees that as an easy way of dealing with the matter, but that is not how everyone feels. The Government claim to be a listening Government who want to hear from and act for the people whom they represent. That is not happening here. I have letters from local parishes in Hawkchurch and Seaton and a petition signed by 2,300 people from Exmouth who are against the closure of Exmouth court. There was a march through the town with people carrying banners, and that does not happen frequently. For the measure to stir up that sort of feeling in Exmouth is a great demonstration of local views.

I have referred to East Devon district council, but Devon county council, which used to run the court appealed against closure, said that the magistrates courts committee was mad and put its case to the Minister. I suppose that it is thought to be unreasonable or illogical that the people who know the job, having done it, were some of the strongest contenders—other than myself—urging the Government not to take the route that they did.

I am concerned that local crime is no longer reported in the local newspapers. It happens in Exeter and Honiton, but local reporters do not know when cases will be heard. One of the condemnations of the magistrates courts service inspectorate is that steps should be taken to improve the turnaround of local aid decisions as only the east Devon and west Cornwall clerks consistently comply with the two-day limit. One of the major factors in local crime is to expose local criminals to the community. The embarrassment of publicity no longer applies in east Devon.

Will the Parliamentary Secretary read the annexes to the report? East Devon comes either first or second in the table giving the percentage of defendants waiting for an hour or less for court and the staff costs per weighted case are the lowest but one. Such achievements are being thrown to one side and it is worrying that local justice is being thrown overboard. The Government have proved that they do not care that local justice was denied in seven courts in Devon last week. The Government are seeing to it that local justice does not exist in those localities. They are not listening and they do not seem to care. I condemn their policy in all logic and with all reasonableness.

1.16 pm

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): May I say what a pleasure it is to reply to an Adjournment debate under your chairmanship, Mr. Cummings? It is the first time and I look forward to many future occasions.

I congratulate the right hon. Member for East Devon (Sir P. Emery) on securing a debate on this important issue. I have listened carefully to all the points that he has so eloquently made. As he said in the debate that he secured in February last year, magistrates courts are managed by locally based magistrates courts committees. Hon. Members need to be continually reminded of that fact, which bears down heavily on the process that we go through when magistrates courts committees consider their accommodation strategy. Each committee is solely responsible for the efficient and effective administration of the magistrates courts in its area.

I have said it before, but it is worth repeating, that it is for MCCs—whether urban or rural—to determine how many courthouses are required in consultation with the relevant paying authority. They must also determine what other accommodation is needed. In discharging their statutory responsibility, we expect MCCs to undertake regular reviews of their accommodation requirements. The strategic aims of the MCCs, the facilities needed and the results of their user surveys are just some of the factors that MCCs take into consideration when undertaking reviews. They have to achieve a balance between providing an efficient and effective service to court users, while maintaining secure, well-equipped court accommodation and the full utilisation of courthouse facilities.

Mr. Livsey: Will the Minister give way?

Jane Kennedy: I resist the hon. Gentleman, who did not give me notice of his intervention. I want to reply in full to the right hon. Member for East Devon, who secured the debate. I have a lot to say to him.

Sir Peter Emery: Perhaps the hon. Lady will give way to me. I am sorry to interrupt her speech, but will she please point out that magistrates courts committees have to operate within the budget allocated by the Government and that there will be a 10 per cent. cut in the money available in the next three years as a matter of policy? The MCCs cannot do what they want; they must act within the framework dictated by the Lord Chancellor and the money that he provides.

Jane Kennedy: Clearly, magistrates courts committees must operate within a budget, but in Devon and Cornwall the final cash limit for 2000-01 was £7.43 million. That includes the initial allocation to the magistrates courts committee, plus additional sums made available during the year. For 2001-02, £8.47 million has been made available to Devon and Cornwall, and there is a bid outstanding for a further

£1 million. I am unsure where the right hon. Gentleman obtained the figure of a 10 per cent. cut, but I shall examine that in detail as a result of his intervention.

Sir Peter Emery: Just from the Lord Chancellor.

Jane Kennedy: It is worth pointing out that, originally, the magistrates courts committee proposed the closure of 13 courts when consulting on its accommodation strategy. Although it will be no comfort to the right hon. Gentleman, who will lose his court in Axminster as a consequence of that decision and the failure of the appeal, the magistrates courts committee reduced the proposed number of courts to be closed to nine. It therefore listened to local representations and took on board local points of view.

I should like to discuss what we mean by local because one definition will not serve in every case. Local, which may denote the town, the village or the magistrates courts committee area, means different things to different people. For example, some people may view local as centred on a particular courthouse or petty sessions area, whereas others may interpret local as meaning the magistrates courts committee area. Much may depend on the size of the magistrates courts committee, but again that is for the magistrates who form the local committee to decide.

All users of magistrates courts deserve an efficient service that is delivered in well-equipped and secure buildings. Most magistrates courts that have closed have been courts that magistrates courts committees no longer felt able to justify because they lacked necessary facilities such as secure accommodation, separate waiting areas for victims and witnesses away from defendants, and access for disabled people. Those are basic standards of accommodation that all court users expect from a modern, 21st-century service.

Improvements have to be balanced against other factors such as local transport difficulties. The right hon. Gentleman ably illustrated some of the problems that local people face. The Government are particularly concerned to ensure the provision of courtrooms that enable cases to be listed in a manner that will achieve our aim of reducing delay in the criminal justice system. Users want their case to be heard on the day that it is listed; they do not want to make a long trek on public transport because their case has been deferred.

Transferring the work load to better-equipped centres is one way to modernise and improve the overall service that magistrates courts committees provide. Magistrates courts committees have local knowledge and are best placed to make judgments on how to use resources such as finance, staff or buildings. It is only in the event of a decision being challenged by the paying authority—as happened in this case—that the Lord Chancellor becomes involved.

The right hon. Gentleman has expressed his views on the recent appeal decisions clearly and forcefully. I should like to assure him that the decisions were made after careful consideration of the arguments, which included all representations for and against the magistrates courts committee's proposals. Indeed, he has ably and prolifically registered his views on the magistrates courts committee's proposals, not only during the debate last February, but in his question in the House last May, and when he met the Lord Chancellor in November last year.

The right hon. Gentleman will know that he was not the only hon. Member to make representations. Several meetings were held with each of the parties to the appeals, together with local Members of Parliament, to discuss the proposed closures. The cases for and against the appeals were made vigorously at those meetings.

I will remind the right hon. Gentleman of the reasons for the decisions. In the case of each closure, the most persuasive arguments proved to be the severe under-use of courts and the inadequacy of facilities. Last year, courtrooms in Devon and Cornwall magistrates courts committee area were used for an average of only 40 per cent. of their available hours, which is significantly lower than the national average of almost 58 per cent. The Devon and Cornwall MCC demonstrated that the work could easily be absorbed by alternative venues. It carefully considered travel. Details of public transport to alternative venues, with times and costs, and the results of court user surveys, indicated how people travelled to court.

The Crown Prosecution Service and probation service support each proposed courthouse closure. As I stated in my letter of 16 March, the magistrates courts committee has given an assurance that it will be flexible in listing cases, to meet the needs of all court users, including those the right hon. Gentleman mentioned.

The Lord Chancellor is committed to making better use of the court estate, including magistrates, crown and county courts. There is scope for further joint use of courthouses, creating more "justice centres" for the hearing of different types of case. Magistrates courts committees and local court service managers have been asked to draw up local plans, which might include other judicial users such as the coroners court, immigration appellate authorities and local tribunals. Such close working will have many benefits. For example, where two courthouses, such as a magistrates court and a county court, are close together, one might be able to accommodate all the work and only one will have to close. Such measures will improve the efficient use of our estate assets, while maintaining access to justice and releasing funds to improve facilities.

I was encouraged to learn that in Camborne, in the Devon and Cornwall MCC area, the MCC is seeking to provide a community resource in partnership with other local agencies. An old school will provide a range of facilities, including some court hearings, access to the citizens advice bureau and the local town council. Although plans have yet to be finalised and formal bids made, we welcome such an initiative in local joined-up working. A total of nine magistrates courts in Devon and Cornwall are already shared with other agencies including the Court Service, the coroners court, valuation tribunal and tax commission.

When preparing their strategic plans and consultation papers, MCCs examine everything that is relevant, including Government targets, funding details and population. They set out their strategic aims and objectives, and their plans take account of court user survey results, strategies for the use of buildings, staffing and security.

By statute, MCCs are required to consult only with paying authorities on proposals to close magistrates courts. In a spirit of good practice, and as recommended by the central council's guidance, MCCs invariably

[Jane Kennedy]

consult more widely. Consultees typically include magistrates, staff, police, probation services, the Crown Prosecution Service, MPs and professionals such as the solicitors whose views the right hon. Gentleman brought to our attention.

We look to provide a modern system of justice with well-equipped and secure court rooms. We want to reduce the delay in the passage of cases through the courts. That will help to achieve our aim of reducing delay throughout the criminal justice system. The local initiatives that I have described demonstrate our on-going commitment to the delivery of justice.

Mr. John Cummings (in the Chair): Order. We move to the next debate.

Bed-and-breakfast Accommodation

1.29 pm

Ms Oona King (Bethnal Green and Bow): I am grateful for the opportunity to raise some very serious concerns about the use of bed-and-breakfast accommodation for homeless families.

The Government have adopted robust measures to reduce homelessness, and have rightly committed themselves to reducing by two thirds the number who sleep rough on our streets. The rough sleepers initiative has shown that significant extra funding can enable the rough sleepers unit to make considerable progress towards achieving that target. I welcome the Government's commitment in that regard, and I have initiated today's debate because I want a similar target to be set in another area of housing policy.

The extended use of bed-and-breakfast accommodation for families with children is an aspect of housing policy that shames us all. In Tower Hamlets, the local council currently accommodates about 1,200 homeless households. As a result of initiatives undertaken by its Labour administration, almost half those households are housed in temporary accommodation in the borough. They, at least, have the small comfort of an assured shorthold tenancy near the supportive network of family and friends. The lot of a further 300 or so who are housed in similar assured shorthold tenancies outside the borough is not so good, but at least it is better than that of the remaining 300 or so households who are in bed-and-breakfast accommodation.

Anyone who has taken time to visit such accommodation will recognise that it is inappropriate to house vulnerable adults there for extended periods. It is important to recognise that we are not talking about a room with a view and a friendly landlady serving a full English breakfast with a wry joke about the weather. Often, those who flee domestic violence have to share a cramped space and inadequate facilities with people with mental health problems, or problems involving alcohol, drugs or substance abuse. It is deplorable that families with vulnerable young children and impressionable teenagers are often forced to live in such an environment. The detrimental impact on a child's health, welfare and educational opportunities is undeniable. The stress for parents is unimaginable, and the problem is one that more and more families face.

According to recent figures, the publication of which has coincided with this debate, the number of households in bed-and-breakfast accommodation is rising again. Some 10,000 households across England are in such accommodation, more than 7,000 of which are in London. That highlights the capital's problems in dealing with this issue. Moreover, several thousand other households are in bed-and-breakfast annexes.

In Standing Committee, my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) tabled new clause 16 to the Homes Bill, which would have established targets for reducing the use of bed-and-breakfast accommodation. I am not entirely sure what the Minister's view was at that time, but today we ask him the same question: are the Government willing to set targets for reducing the use of bed-and-breakfast accommodation?

I accept that the commitment will place significant additional burdens on local authorities and I knew that the chance of new clause 16 being incorporated was very slim. In the nicety of parliamentary language, it was described as a probing amendment. I want to take a moment to probe the harsh realities of life for every child who went to sleep last night surrounded by the mayhem and insecurity that often characterise bed-and-breakfast accommodation. We have an opportunity now to do something about that. Despite recent performance improvements, many local authority homeless persons' units are still a long way from being able to complete assessments within the six-week period specified in the code of guidance. Many families with children for which local authorities accept a duty are not, even then, immediately moved into assured shorthold tenancies and many vulnerable adults must remain in bed-and-breakfast accommodation for up to a year before they are found alternative accommodation.

Ms Karen Buck (Regent's Park and Kensington, North): I wonder whether my hon. Friend has come across cases such as that of my constituent, Jane Dennis, who came to me having been told that she could expect to wait up to two years in bed-and-breakfast accommodation and is currently expected to wait another nine months. I have a letter from a locum psychiatrist describing her depressive illness, which includes

"a decrease in energy, poor concentration, initial and terminal insomnia . . . feelings of"

unworthiness

"guilt and self blame about her current situation."

It says that she was

"tearful throughout the assessment, her sense of control had ceased and she was becoming increasingly distressed in the presence of her son."

That is a mild illustration of the sort of mental stress that people experience when told that they can expect to wait a long time in bed-and-breakfast accommodation.

Ms King: I thank my hon. Friend for breathing life into the examples that I was giving, explaining the stress suffered by many people in bed-and-breakfast accommodation, particularly children, and the damage that occurs to the relationship between parents and children. My hon. Friend's illustration bears out the fact that prolonged stays in such accommodation are simply unsuitable.

The figures for the average length of time spent by families with children in bed-and-breakfast accommodation are not readily available. However, anecdotal evidence from hon. Members' advice surgeries, such as that outlined by my hon. Friend, as well as the eagerness with which many families accept temporary accommodation in cold, damp, expensive and poorly furnished flats of their own, reveal the extent of the problem.

There are problems with the approach that I advocate. I know that the introduction of tougher guidance demanding quicker assessment will not work without extra investment in services for homeless people. I know that those services are already over-stretched and would risk judicial review if they did not promptly move successfully assessed applicants out of bed-and-breakfast accommodation. I know that the targets do not distinguish between families with children and vulnerable single adults, whom we also want to move into more suitable accommodation more quickly. I know that the targets fail to take account of the desperate shortage of affordable housing and temporary accommodation in London. I also know that the Government are committed, as no other in the past 20 or 30 years, to increasing investment in social housing. I know that if children are not moved out of bed-and-breakfast accommodation, we fail them miserably and perhaps damage them for life. We must overcome those problems.

If the Government have succeeded in reversing the decline in the investment in social housing, the next step is to improve the service for homeless people. If, when setting targets, Ministers take the opportunity to allow local authorities more freedom to lease private sector accommodation and to improve the temporary social housing grant regime for registered social landlords, we can end the use of bed-and-breakfast accommodation for anything other than a reduced four-week assessment period.

I have learned during the past four years not to expect Ministers to cave in to impassioned pleas from a couple of Back Benchers in an Adjournment debate. That is astonishing, but I have learned that lesson. However, I am an optimist and I hope that my exceptionally right hon. Friend the Minister will at least assure us today that he will give sympathetic consideration to developing a series of targets—stepping stones to the abolition of prolonged use of bed-and-breakfast accommodation. I hope also that he will examine Shelter's proposals to increase the amount of temporary accommodation, particularly in London.

Britain is rich enough and the Government are bold enough and compassionate enough to consign bed-and-breakfast accommodation to the past. I trust that the Minister will do everything in his power to do that within the next three years.

1.42 pm

The Minister for Housing and Planning (Mr. Nick Raynsford): I thank my hon. Friend the Member for Bethnal Green and Bow (Ms King) for raising this important matter and for the way in which she presented a strong case for more effective action to tackle the problem of homeless families in bed-and-breakfast accommodation. I share her concern about the large number of households that are in that position and the human impact that she graphically described, as did my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck). Both my hon. Friends have been assiduous in pressing the issue during this Parliament. I have no hesitation in agreeing with my hon. Friends that the number of households in bed-and-breakfast accommodation is too high and must be reduced. The constraints and limitations of living in one or two rooms, with bed and breakfast only, can have a debilitating effect on family life and particularly the development of young children. We must discourage that.

The Government have a clear policy on the use of temporary bed-and-breakfast accommodation for families with children. It should be used only as a last

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[Mr. Nick Raynsford]

resort when nothing more suitable is available and its use should be limited to the minimum possible time. That is stated clearly in our statutory guidance to local authorities on the discharge of their responsibilities to homeless people.

Bed-and-breakfast accommodation is used by local authorities as one way of discharging a legislative duty to secure accommodation for homeless households. In many cases, an authority owes an interim duty to homeless families while it completes inquiries to determine whether a substantive duty is owed under legislation. The authority may decide that the applicant does not have a priority need or is found to have become homeless intentionally or not to be without alternative accommodation. In such cases, the authority will not have a substantive duty and the use of temporary bed-and-breakfast accommodation for a short period is understandable. It is less appropriate as a discharge of the substantive duty to provide accommodation for homeless households that have been accepted as the responsibility of the local authority. However, I know that some local authorities have to use it for that purpose. I would be particularly concerned if authorities were using temporary bed-and-breakfast accommodation when that could be avoided.

Homeless families are generally placed in bed-and-breakfast accommodation because no better options are available. Having said that, not all authorities facing serious pressures are making extensive use of bed and breakfast. Indeed some, including my own local authority in Greenwich, have avoided bed and breakfast even though they accommodate substantial numbers of homeless households. Often that is because they have been more successful in directly re-housing homeless households into permanent housing, or they have secured better alternative forms of temporary accommodation. We should remember that those in bed and breakfast are just a small proportion of the total number of households placed in temporary accommodation pending the availability of a more settled housing solution.

The problem is concentrated in a relatively small number of areas. At the end of December 2000, only 36 local authorities in England reported 50 or more homeless households in bed-and-breakfast accommodation. Those 36 authorities accounted for 7,980 of the total of 9,860 households in bed-and-breakfast accommodation. Of those 36 authorities, 25 were in London, five in the south-west, four in the south-east, one in the north-west and one in Yorkshire and Humberside. That reinforces my hon. Friend's point that the problem is heavily concentrated in London.

The London borough of Tower Hamlets, which covers my hon. Friend's constituency of Bethnal Green and Bow, is one of the inner London authorities that had more than 50 households in bed-and-breakfast accommodation—a total of 145 at the end of December 2000. I am pleased to say that Tower Hamlets council is working hard to keep that number as low as possible. While the total number of households in temporary accommodation in Tower Hamlets increased by about 806 during the period from December 1997 to December 2000, the numbers in bed-and-breakfast accommodation decreased by 19, and in December 2000 represented just 9 per cent. of the total number of homeless households for whom the authority had accepted responsibility. That is much better than the London average, which is 15 per cent.

The picture in Regent's Park and Kensington, North is not so happy because my hon. Friend's constituency straddles two boroughs. Kensington and Chelsea has the highest percentage of all homeless applicants placed in bed and breakfast. At the last count it was 68 per cent. The City of Westminster had the fourth highest percentage with 36 per cent. of homeless households accepted by the local authority being placed in bed and breakfast. That is an indication of how the pattern varies between areas and how, despite considerable pressures, some authorities can do much better than others to minimise the use of bed and breakfast. Tower Hamlets has also made good use of its own housing stock to meet the needs of 39 per cent. of its households in temporary accommodation; that compares with an average of just 16 per cent. across London generally.

Having accepted entirely the case that my hon. Friends have made that this is a serious and highly regrettable problem and having described the concentration of the problem in a limited number of areas, I come to the obvious question of what can be done to ensure that the use of bed-and-breakfast accommodation is reduced to an absolute minimum. The best solution is to minimise the incidence of homelessness in the first place. That is easier said than done. The causes of homelessness can be complex and personal. One cannot wave a magic wand to ensure that all homelessness is eradicated immediately. However, the Government are doing a great deal and will do a great deal more to prevent homelessness.

The Homes Bill, on which both my hon. Friends served, is currently under consideration in another place. It will require local housing authorities to have a homelessness strategy and ensure that adequate provision of accommodation and support is available to those who cannot avoid homelessness. That will require a multi-agency approach, involving not just the local housing authority, but the social services authority and public, private and voluntary bodies whose activities can contribute to meeting the strategy's aims.

Some authorities already operate this sort of strategic and multi-agency approach, and we expect others to consider doing the same without waiting for the Bill to be enacted. Having said that, we expect the Homes Bill to reach the statute book soon to make clear our commitment to more effective and strategic responses to the challenge of homelessness throughout the country. Local authorities are best placed to tackle the problems of homelessness on the ground, but they need the tools to do the job. A supply of affordable accommodation is clearly the key and the Government are acting to achieve it.

Ms Buck: I am grateful to my right hon. Friend and would not expect him to be able to make a clear commitment now. Can he assure me, however, that the Government are always open to representations from local authorities and others about high development costs, especially in central London? Shared ownership and social housing development for larger family units—dear to the hearts of Labour Members—is

difficult, so we must engage in continuing discussions to find ways of making such developments economically feasible.

Mr. Raynsford: I can give my hon. Friend the assurance that she seeks. We are mindful of the pressures and open to representations from Members of Parliament, local authorities and other interested parties—from any area—with proposals to tackle the highly difficult and complex problems that I have described. I hope that my hon. Friend will be satisfied, by the end of my remarks, that the Government are taking the necessary steps to achieve our shared objective—to reduce dependence on bed and breakfast for accommodating homeless households.

The underlying problem that has produced the current pressures on many authorities is the chronic under funding of social housing by previous Administrations. The Conservative Government presided over a massive decline in housing investment, and the level of resources provided to local authorities halved between 1992-93 and 1997-98. We have more than reversed that decline: the resources for local authorities in 2001-02 will be about twice the amount made available on average each year by the previous Government during their last five years in office. We shall increase resources further in the subsequent two years.

The Government took action at an early stage to reverse the decline through the capital receipts initiative, which provided an extra £1.3 billion for housing investment in the years from 1997-98. Following the comprehensive spending review in 1998, a further £3.3 billion was provided for housing investment. In last year's spending review, we added another £1.6 billion to housing budgets.

Much of the increase in funding will be directed at tackling the backlog of repairs in existing local authority stock arising from years of neglect. It is estimated that that will cost £19 billion. Improvements in the condition of the stock can free up additional lettings and assist authorities to meet the pressures of demand that they face. Authorities can also reduce the numbers of dwellings that are unpopular because of their poor condition or need for major renovation to make them acceptable as modern living accommodation. It is an uphill task, but we have begun in earnest and are making good progress.

However, a significant part of the additional resources from last year's spending review were provided for investment in affordable housing through the Housing Corporation's approved development programme. Funding is set to increase to more than £1.2 billion by 2003-04—almost double current levels. We cannot expect that to translate into an equivalent doubling in the output because of the problems to which my hon. Friend the Member for Regent's Park and Kensington, North alluded, namely the pressure on land and construction costs in London and the high cost of acquiring property. Indeed, the costs of development in London are substantially higher than in other areas, which means that any additional provision is likely to reduce the overall number that can be achieved on average throughout the country. However, we are substantially increasing investment to help tackle the problem.

We are also providing £250 million during the next three years through the starter home initiative to assist key workers to purchase homes in areas where high prices would otherwise prevent them from living within a reasonable distance of the communities that they serve. Many of those people would not actually face the horror of homelessness, but the fact that they have an alternative means that some of the pressures on local authorities to provide accommodation will be eased. That all contributes to meeting needs.

The situation is particularly acute in London, where pressure on all forms of accommodation is intense. That is an unfortunate consequence of a bustling capital city operating in a thriving economy. The main difficulties for those seeking affordable homes are the buoyant housing market and the shortage of affordable housing. We have increased the resources available for housing investment. In London, the Housing Corporation's approved development programme has been increased by £20 million this year to just under £300 million and is set to rise to over £540 million by 2003-04.

In the immediate term, the London Housing Partnership should help London authorities to access additional properties that can be used to provide permanent housing for homeless households on a London-wide basis. Under that scheme, resources are used to create a pool of accommodation to be provided or brought back into use through purchase and repair schemes. Each London authority has access to a share of the accommodation pool, relative to its housing need. Last year, a total of £40 million was made available for the programme, funded partly from the approved development programme and partly by a top slice of the regional allocation of the housing investment programme. The programme has been expanded in the current year, with the Housing Corporation contributing approximately £90 million.

I have outlined several measures that the Government have put in place since 1997 to reverse the decline in housing investment and tackle the problem of an insufficient supply of affordable housing. Unfortunately, the measures will take time to come to fruition and have a practical effect. In the light of the continuing pressures in London and the south-east, we are looking to work closely with the Housing Corporation and the local authority associations to consider the scope for other initiatives that could have an immediate effect on reducing the need to use bed-and-breakfast accommodation for homeless families.

I hope that my hon. Friends the Members for Bethnal Green and Bow and for Regent's Park and Kensington, North will accept the Government's absolute commitment to tackling the problem that they highlighted in the debate and our determination to explore all the available options to ease the pressure on families that have to endure the unpleasant and disagreeable conditions that too often exist in bed-and-breakfast accommodation.

Question put and agreed to.

Adjourned accordingly at two minutes to Two o'clock.

Westminster Hall

Wednesday 4 April 2001

[MR. MICHAEL LORD *in the Chair*]

Green Belt

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Kevin Hughes.*]

9.30 am

Mr. James Clappison (Hertsmere): I am pleased to have the opportunity to raise a subject of great interest to my constituents, and, in particular, the Elstree and Borehamwood Green Belt Society, which I recently met at the home of its chairman, Mrs. Avril Chick. At that well-attended meeting, the members told me of their concern that the future of the green belt should be debated in Parliament. I am now honouring what I said on that occasion. It is of interest to many other of my constituents and to hon. Friends, including my hon. Friend the Member for Chipping Barnet (Sir S. Chapman), who is unable to attend today owing to a personal engagement. He shares similar concerns about the future of the green belt in his constituency, which adjoins the southern end of my constituency.

I hope that this will prove to be a timely debate. Last month the Government finally confirmed regional planning guidance 9—the regional planning guidance for the south-east—following consultation. That is an important document providing the regional framework for the preparation of local authority development plans up to 2016. RPG9 has many implications for the future of the green belt. In particular, it contains the Government's targets for housing developments in the south-east outside London.

In March last year, the Government gave their response to the level of house building suggested by Serplan and the Crowe report, and chose a level of 43,000 new houses a year, a figure in between the two suggested. In its final form, the regional planning guidance suggests that provision for housing in the south-east should be for 39,000 houses each year up to 2006. Several points should be made about that. First, the Government's figure is substantially higher than that suggested by Serplan—33,000 houses. Secondly, the figure is for five years only. The planning guidance says that the figure is subject to review within five years, in the light of monitoring, the findings of urban capacity studies and studies of potential growth areas. However, RPG9 gives a clear steer in favour of a higher annual total after 2006. Paragraph 8.6 of RPG9 states:

"A higher rate of provision than 39,000 dwellings per annum is likely to be necessary to meet the long term needs in the rest of the South East."

Thirdly, the share of housing allocated to Hertfordshire, in the final version of RPG9, is almost the same as was originally envisaged: 3,280 houses each year, as opposed to 3,290 under the original plans. I am not sure what happened to the other 10 houses, but the loss of them will be no consolation to those who are concerned about the house-building target for the county. The 3,280 figure is substantially higher than the number of houses Serplan suggested for Hertfordshire each year, which was in the region of 2,500. That means almost 50,000 additional houses will be built in Hertfordshire by 2016. That assumes that the annual rate continues at 39,000 each year in the south-east, but there is a clear steer in favour of a higher figure in RPG9. There will be at least 50,000 new houses in Hertfordshire, and probably more.

To put that in context, according to the House of Commons Library 50,000 new houses in Hertfordshire is roughly equivalent to the number of dwellings that can be found in the existing borough of Dacorum. To put it another way, a settlement the size of Stevenage and Hitchin will be located within the present boundaries of Hertfordshire by 2016. Those who know Stevenage and Hitchin will also know that that will be a substantial settlement.

Where will additional housing be located in Hertfordshire? The Government tell us that they want as much housing as possible on brownfield developments, and it is fair to say that RPG9 has worthy intentions in that regard. It discusses

"new dwelling provision being accommodated in urban areas in ways which enhance the quality of urban living. This involves making better use of the existing housing stock, along with re-use of vacant and under-used buildings and sites."

Those are undoubtedly worthy intentions, but they may be easier to implement in older urban industrial areas. How easily can they be implemented in a county such as Hertfordshire? Hertfordshire does not contain many brownfield sites associated with older industrial areas. It does contain several new towns, and much of the housing stock throughout the county is relatively new.

In its response to the Government's consultation on the proposed housing distribution, Hertfordshire county council, which should be in a position to know, states that it

"disagrees strongly with the Government's assertion that it will be possible to achieve the proposed overall rate of provision of 39,000 dwellings per annum probably rising to 43,000 after 2006, without using more greenfield land than would have been taken by the level of development proposed by SERPLAN."

The council is especially alarmed by the damaging implications for further erosion of the green belt, and it urges the Government to reduce the annual average of additional dwelling provision to the figure put forward by Serplan. Hertfordshire county council is also sceptical whether the Government's policy will meet their target for the provision of affordable housing, although it makes it clear that it supports the aspiration of meeting local housing needs, which includes key workers. That is the response of Hertfordshire county council to the Government's housing targets.

Within Hertfordshire, individual boroughs such as Hertsmere are waiting to see how the housing target for Hertfordshire will be divided among local authorities. Given its proximity to London and Watford, Hertsmere has good reason to set particular store by the green belt, which is under constant pressure. Proposals to develop on the green belt are constantly put forward with apparently worthy justifications behind them. However, the problem is that if the planners accepted every justification for development on the green belt, there would soon be no green belt left.

One example of the pressures facing the green belt in Hertsmere involves a suggestion to develop a greenbelt site in Stephenson way in Bushey to provide a park-and-

[Mr. James Clappison]

ride car park to serve Watford. Park-and-ride schemes may be a good idea, but that would mean the loss of an important area of green belt in Hertsmere. It is an important open space, which is valued by local people, and an area of green belt that planners acknowledge prevents the coalescence of Watford and north Bushey, which enables Bushey to retain its distinctive identity. Such developments cannot be justified, and are at odds with the principles behind the green belt.

The problem with the Government's housing targets in RPG9 is that they will create pressure to build on the green belt in Hertsmere in the long term. The targets will also place pressure on the infrastructure, affecting schools, roads, drainage and so forth. Many of the more obvious brownfield sites in Hertsmere have already been used, or earmarked for development. For example, a former long-stay institution in Shenley has accommodated a substantial housing development. For how much longer will brownfield sites in urban areas be available for development in boroughs such as Hertsmere?

The greater the provision that Hertsmere is expected to make, the greater will be the pressure for development affecting the character of existing urban areas and for development into the green belt. In Hertsmere, one cannot compensate for the removal of one area from the green belt by adding another area to it, because nearly all the land that is not urban is already designated as green belt.

I am sceptical about the approach that says that the removal of part of the green belt can be compensated for by designating another greenfield site as green belt. That is similar to saying, on the conservation of species, that it would not matter if we lost the rhino, because we could put the giraffe and the elephant on the endangered species list. Once green belt is gone, it is gone for good. It is no consolation to my constituents whose green belt is threatened, to say that other places, in other boroughs or counties, will be designated as green belt in compensation. That is a recipe for constantly shifting the green belt outwards and taking more and more greenfield and greenbelt areas into urban development.

Hertfordshire county council is right to warn that the RPG9 targets will have long-term consequences for the green belt. In boroughs such as Hertsmere, development on the scale envisaged seriously threatens the concept of the green belt, and is not sustainable. The development that we are setting in train will occur at the expense of the environment that we should hand on to future generations. It will be bad for their quality of life that open spaces will disappear and communities merge into one another. It will be bad for the environment that habitat, and plant and animal species, will be placed under pressure and then lost.

The Government have turned their hand to that cause in the RPG9 targets for housing development. We should continue debating the matter, and have a long hard look at the point that development has reached in the south-east. We need to re-think ploughing on with a course of action that will inevitably mean that huge swathes of the south-east disappear under concrete—including swathes of the green belt in my Hertsmere constituency.

9.43 am

Mr. Bruce George (Walsall, South): I appreciate the initiative of the hon. Member for Hertsmere (Mr. Clappison). The green belt is obviously important in and around Hertsmere. It is also important in and around Walsall, which is part of the west midlands megalopolis, where the dividing lines between Birmingham, Sandwell, Walsall, Wolverhampton and Dudley are hard to make out. The green belt was established to stop the northern movement of Birmingham into other parts of the west midlands and the black country. It is more than an aspiration. It is something that has to be preserved. The green belt in my area is sacrosanct.

Unfortunately, not everybody holds that concept dear. Some planners—although not many—and some building companies, who are competent and reputable, want to expand the benefits of housing to areas that should not contain housing. I do not expect the Minister to comment on the general principles that I shall outline. I am fairly sure that in the next six months or so an enormous document will land on the Secretary of State's doorstep, in which an application will be "called in". Indeed, the matter can be resolved only at that level.

My great concern is that protections available to the green belt might be violated. I accept that we must be pragmatic and that the green belt has expanded, but there are people at the heels of Ministers and local authorities who are using the mass of documentation associated with regional and planning guidance to justify encroachment. I am particularly worried about the greenbelt area between Birmingham and Walsall, which is protected by the Walsall urban development plan. It is in the Beacon regional park, a grade 2 park of special historical interest. There are two sites of importance for nature conservation and three areas of ancient woodland—part of the West Mercia forest. It is also part of the Great Barr hall conservation area. One would have expected protections for Great Barr hall, which is a grade 2 listed building, and the St. Margaret's hospital site, to be more than sufficient to allow people such as me to rest assured that Bovis will be unable to plant 600 houses anywhere near that site. However, I am anxious that well-paid and competent lawyers and barristers will be able to manipulate complicated documentation and thereby pose a threat.

It is important to point out that the arguments for not building on the green belt are very strong. The planning process is just beginning and the Aldridge, South area planning committee is meeting in April to discuss the preliminary investigation. The process will grind on through the summer, and it would be impertinent to jump in at this stage. The local authority, the public and relevant organisations should have ample opportunity to express their views before the Secretary of State responds to any requests. We are talking about a well-protected area, and any breach of those protections would have considerable implications for other greenbelt areas. In that regard, the application has not only a local but a national connotation.

My motives have been questioned, but I should point out that my green credentials go back at least as far as 1966 and my MA dissertation, at Warwick university, on environmental pressure groups. Of course, one had to begin one's dissertation with a wonderful quotation from someone else, because rarely can one provide the

kind of quotation that should precede a dissertation. In "The Costs of Economic Growth", which was published in 1965, the economist E.J. Mishan said:

"The desire to create the Jerusalem of economic growth in England's green and pleasant land has so far resulted in a conspicuous lack of both greenness and pleasantness."

That quote is as relevant today as ever. Since the mid-1960s, there has been a greater awareness of the need to protect the environment, control urban sprawl and inject a degree of rationality into a hitherto fairly non-rational process. The green belt is part of the process of halting this almost unstoppable juggernaut.

I am not some starry-eyed, paid-up member of the environmental protest movement, eschewing all pragmatism or compromise, but I genuinely hope that the site will remain off bounds to developers such as Bovis. Half the site was bought by a Del Boy-type character a decade ago. He bought the land cheaply on borrowed money, obtained planning permission, sold it off, then hoped to retire on his ill-gotten gains. He was a pretty worthless character. I fear that other Del Boys are waiting in the wings—although not Bovis, which I should not want to castigate in that way.

Following on from what the hon. Member for Hertsmere said about regional planning guidance, the regional planning guidance for the west midlands region, RPG11, at paragraph 9.1, states:

"On the basis of the advice put to him and in the light of representations received, the Secretary of State proposes that the following additional dwellings, including replacements and conversions, should be constructed in each local authority area between April 1991 and March 2011."

The west midlands has been presented with 335,000 dwellings, of which Walsall, the borough that I represent, has been allocated 10,100. Up until April 2000, 5,563 of those 10,100 homes had been built, including conversions. In addition, 1,275 dwellings have already been given planning permission, and Walsall is well on target to meet the requirements by 2011 by using existing sites.

We have all read documents, including the Secretary of State's White Paper "Our towns and cities: the future: delivering an urban renaissance", which tell us how important it is to reclaim land and to use brownfield sites. In a town such as mine, we have ample brownfield sites that are desperately crying out for companies such as Bovis to come and develop them. We can meet the targets without raping the green belt. I shall not bore hon. Members with the other documents from the Library that I have looked at, which include planning guidance notes and documents on the countryside, environmental quality, social development, town and country planning, residential development and greenfield land. I have read many and will read many, many more. I hope that the Government will say that greenfield sites can be developed only in exceptional circumstances. I am pretty certain that such circumstances do not exist, and that we do not need these houses.

With great respect to my right hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), anyone who drives through north Birmingham will see that, like my constituency, it is not quite a Norwich or a Norfolk, nor is it among the most beautiful areas in the world. However, when one leaves north Birmingham one comes to a swathe of rural land, with a mediaeval-looking church with a beautiful graveyard, a golf course, a lake and a forest. It is greenbelt land of the highest order, and the thought of 600 homes being dumped there is truly appalling. No party has a monopoly of concern for the protection of the green belt: it is not a party political issue, and I would deplore any attempt to make it so. Everyone must recognise the importance of sustaining the green belt.

There are other ways of destroying the green belt apart from giving approval for building 600 houses. In my area—I suspect because of a shortage of planning staff—over the years there has been a creeping destruction of the green belt as farmers have extended buildings without seeking authorisation. I do not wish to dump further on the farming community, which has more than enough problems to be going on with, but if those people see that they can build extensions without being compelled to go through the planning process, and if no action is taken to remove the buildings that they put up, they can construct with impunity.

A further threat—again, I do not expect the Minister to comment—comes from Bass, which is a respectable brewery. It wants to develop a site with the delightful name of Fast Eddies, which has a Damon Runyon ring to it. The existing building is dreadful and whoever gave planning permission for it 30 years ago should be beaten because it was an appalling decision. Bass now wants to build seven houses. They have been tastefully designed and Bass, like Bovis, has put enormous effort into trying to meet the objections. My great concern is that to the south of the green belt is the Bovis threat, in the middle is the threat of creeping destruction of the green belt by unauthorised dwellings, and to the north is the threat of a housing development. If any or all of those are not checked by the planning process and, ultimately, the Secretary of State, I fear that whole concept of the green belt in that part of the midlands will be destroyed for ever because it could not be brought back into public use.

I appeal to hon. Members in the Chamber to proclaim their credentials in support of the green belt. We are not against housing and we all have constituents who want to move and who live in unsatisfactory housing. I do not want to stop the growth of home ownership. We all aspire to that and most of us here have met that aspiration. We should not deny that to others. However, the planning process, planning legislation and the green belt concept that was developed in the 1950s, based on ideas from the 1930s, have withstood the test of time and the predators who want to destroy it. I hope that the House will maintain a solid commitment to the green belt and that all hon. Members will continue to monitor developments and the gatekeepers of the green belt concept—the planning inspectors. The Secretary of State, his advisers and fellow Ministers must evaluate claims from pressure groups, local authorities and builders and make balanced decisions on the conflict of greenness and pleasantness against housing. Those decisions are often difficult and I hope that legislation will be strong enough and provide sufficient safeguards.

I am not arguing the details of the campaign that is unfolding in my constituency—others will do that more competently—but when the shouting has finished, the briefs have been read and the speeches have been made in this place, the final decision will rest with the Secretary of State.

9.58 am

Mr. John Horam (Orpington): My constituency is on the edge of London, almost in Kent, and many of my constituents wish that it was in Kent. However, they live in the London borough of Bromley, which probably has more greenbelt land within its borders than any other London borough.

Mr. John Wilkinson (Ruislip-Northwood): It does.

Mr. Horam: I am grateful for that confirmation.

The green belt is valued greatly by residents and by others who live in inner London. I want to raise a matter that has not been mentioned by my hon. Friend the Member for Hertsmere (Mr. Clappison) or the right hon. Member for Walsall, South (Mr. George) and which is a specific threat to the green belt—airport development.

Most airports were developed during the first part of the previous century and, for obvious reasons, were sited on the outskirts of large centres of population. Most, including Manchester, Birmingham and certainly London, have been surrounded by a green belt as they have developed over the years. Airports are hugely intrusive on greenbelt sites with the noise of aircraft and their associated danger, buildings, roads and infrastructure. I might mention, in the context of the current environmental debate, that aviation fuel is untaxed; international bodies and Government might pay some attention to that.

We need airports, however, and we all take flights. Some of us may be hoping to take a flight out of this country over Easter, as the Prime Minister's decision to postpone the general election enables us to do. We know that airports are bound to develop as air travel develops, which it has done rapidly over the past few years. Therefore, any Government must encounter severe problems to balance the conflicting demands for more air travel with the need to protect the green belts that often surround airports.

I shall now turn to a problem that affects my area. Biggin Hill airport, famous as the airfield associated with the battle of Britain, is used for training purposes and private planes. I do not want to awaken too many bad memories for the Government, but I should say that Mr. Bernie Ecclestone has a large place for maintenance at that airport, and his grand prix drivers fly in and out from it, as do other private planes relating to his business. The airport is also used for servicing and maintenance.

The operators on the airfield want to develop Biggin Hill airport into a much larger operation, which would involve not only scheduled but charter flights and the full panoply of services, as is provided at airports such as Luton. Those proposals have struck horror into the residents of the surrounding area, and in small villages such as Downe, which is within 100 yd of the edge of the airfield. Downe was the home of Charles Darwin; the grounds of Downe house contain his famous walk where he pondered the origin of the species. One can imagine the symbolism of that walk, where he composed "The Origin of Species" in the 19th century, being thundered over by jumbo jets in the 21st century.

The Minister has been involved in the matter because the airport's operator sought permission under permitted development rights to build a large and probably unsightly hangar in an unsuitable place. The council sought an Article Four direction from her, which she granted last December. I thank her and her Department for that decision, which indicated clearly that she gave priority to the green belt; she referred to that priority several times in her letters.

The owner is now putting forward a planning application in the normal way, so I hope that the council, whose resolve sometimes needs some stiffening on these matters, will ask for and impose an environmental impact assessment on that, as environmental considerations should certainly be taken into account in the green belt. The owner is pressing ahead with various schemes on many fronts, although I shall not detail them now.

The Government are conducting a large-scale study, the south-east and east of England regional air service study—SERAS—which will affect many Conservative Members. They have also put out for consultation a document on the future of civil aviation, on which consultation is taking place. Those studies have raised questions about what is going to happen about aviation in the south-east. Consultants are conducting a great deal of work on various possible locations. It is alarming that so many sites for both existing and new airports are being considered throughout the country.

I asked the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Coventry, North-East (Mr. Ainsworth) to reveal more information about those matters, but, owing to the problems of blight and so on and because of traditional ministerial practice, the Department is not yet prepared to reveal any information as to which locations are being considered. I understand that the situation is partly created by the problems of blight, but the issues that hang over the heads of those in many small and larger areas in and around London must be resolved soon.

The green belt was introduced for a purpose, and it has worked well. There is widespread support for it, and it is needed more than ever in the 21st century. Therefore, I hope that the Minister and her Department will give it the high priority that it has previously enjoyed.

Mr. Deputy Speaker (Mr. Frank Cook): I want all right hon. and hon. Members to be aware of the common practice that concluding speeches by the Government and the Conservative and Liberal Democrat parties start 30 minutes before the end of the debate. Therefore, the debate has only 25 minutes left to run, and I ask all contributors to bear that in mind.

10.5 am

Mr. John Wilkinson (Ruislip-Northwood): I join other hon. Members in paying tribute to my hon. Friend the Member for Hertsmere (Mr. Clappison) for introducing this timely debate. I also appreciated the speech of the right hon. Member for Walsall, South (Mr. George). It is clear that he shares my party's understanding of the importance of the green belt in preventing the development of a megalopolis.

I will focus on the green belt's effect on London. My constituency, like that of my hon. Friend the Member for Orpington (Mr. Horam), contains a considerable

amount of green belt. The borough that covers my hon. Friend's constituency has 19,050 square acres of green belt, whereas Hillingdon, the borough that covers my constituency, has 12,925 square acres, and only two Greater London boroughs contain a larger area of green belt than that.

There are more than 4 million square acres of national green belt, of which only 1,270,850 square acres lie around and within Greater London, and 7 per cent. is concentrated in 18 London boroughs. I want the Government to recognise that the metropolitan green belt stretches across borough boundaries and lies on both sides of the Greater London boundary and the M25. I hope that a common approach to the preservation of the green belt will be adopted by county and district councils outside Greater London, and London boroughs and the Greater London Authority. I also seek the Minister's reassurance that the London Mayor's spatial development strategy will not be allowed adversely to impinge on the preservation of the green belt within Greater London.

The green belt in Greater London serves the particularly important function of ensuring that the city does not stretch, unchecked, out to the M25. There are places in outer London, such as the village of Harefield in my constituency, that are still partly rural. If more building and development were allowed within such greenbelt areas, it would have a disastrous effect on the quality of life in outer London.

Some projects are especially menacing: the right hon. Member for Walsall, South referred to one of them in the area that he represents. I wish to highlight Central railway's plan to run a freight line from Merseyside, through the midlands, around or through London, and on to the channel tunnel. In the previous Parliament, the project was defeated under the Transport and Works Act 1992 procedure. The promoters of the project have held consultations with the local authorities that are situated along the proposed route, and those discussions have made them aware of the environmental importance of the green belt, and of sites of special scientific interest and nature reserves, many of which lie within the green belt. In my own constituency, Ruislip woods is a premier nature reserve in green belt in Greater London, and in the Colne valley there are many sites of special scientific interest that are also green belt. As I understand it, Central railway intends to run the line through the Colne valley and then either along the Chiltern line track that passes green belt between Uxbridge and Ruislip in to central London or around the M25 to Croydon and down to the channel tunnel. Either way, the railway will go through green belt and have a devastating effect on the local environment.

It has been suggested that, because the result of the consultation has been so adverse and many local authorities are rightly sensitive about the dangers of such developments in their green belt areas, the Government might be induced to promote the Bill under the hybrid procedure. It would be an abuse if the Government used that procedure to push the Central railway project through Parliament. The Transport and Works Act procedure was evolved specifically to ensure that local sensitivities, such as the preservation of green belt, were taken into account in the planning procedure. If a hybrid Bill has Government support, the Government can mobilise their majority to push a pet project through, regardless of environmental or other sensitivities. I urge the Government to come clean on the matter. There has already been blight as property values have understandably declined along the projected route of the railway line.

In conclusion, I seek clarification on a point that has been put to Her Majesty's Government on many occasions by the London Green Belt Council, of which I have the honour of being president. Many voluntary organisations within and outside London are members of the council, which has worked effectively on an entirely voluntary basis to preserve the green belt since the first plans were initiated in 1954, especially under the chairmanship of Mr. Ronald Smith, to whom I pay tribute. He recently left the post because of ill health, but he did the job admirably for more than 20 years.

The council's point is that the green belt is not a designation of countryside quality. Its importance is to prevent communities—villages and towns—becoming merged in an amorphous sprawl. It is not a question of preserving pretty countryside. If those two concepts become confused, there is a risk that the original planning purpose of green belt will be vitiated. I ask Her Majesty's Government for reassurance on that point.

As my hon. Friend the Member for Hertsmere made clear, RPG9 contains projections of additional housing that will have a grave impact on open space and green belt in the south-east. It speaks much about preserving beautiful countryside and SSIs and so forth, which is all to the good, but there must be space between towns and villages, otherwise they become conurbations, especially in the south-east, which is so overcrowded and congested. I congratulate my hon. Friend, and seek reassurance from the Minister on those points.

10.14 am

Mr. Andrew Lansley (South Cambridgeshire): I am glad to join in congratulating my hon. Friend the Member for Hertsmere (Mr. Clappison) on securing this important debate, and on the highly effective way in which he represents the interests of his constituents. I am also pleased to follow my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson), because he concluded on precisely the point at which I should like to begin.

As many hon. Members will know, the Cambridge green belt was one of the first to be established and was designed precisely for the purpose to which my hon. Friend referred—to try to maintain the setting of Cambridge. It is not a designation of the quality of land as such, but has the purpose of avoiding the urban sprawl in Cambridge that has occurred in many other settings during the past 50 years.

The Cambridge green belt is not intended to set the city in aspic, or to create a museum of the city. Cambridge's development over the past 50 years is the opposite of that. Regardless of the green belt, we are the fastest growing part of the country, with a world-class university, and we have made rapid developments in housing, technology and industry. However, will the green belt continue to be protected so that the city, with its continuing character, will still offer those who come to Cambridge to live or for business the quality environment that has previously been enjoyed? I regret that that is under threat, and that the Government have not helped.

[Mr. Andrew Lansley]

We have heard about the issuing of regional planning guidance. RPG6, which relates to East Anglia, was finalised in November 2000. The Minister will recall from a debate in the House in June 2000—prior to the issue of that guidance—that I was critical of the Government's intention to set out a sequence of developments in the Cambridge sub-region, which is under unique pressure for additional development.

In that sequence of housing developments, the first priority is within the built-up area of Cambridge, but subsequent studies have shown that only a small proportion of additional housing could be built on sites in that area. The second priority for development is on the periphery of the built-up area of Cambridge, subject to the review of the green belt. That area, by definition, is greenbelt land. That would prioritise Cambridge greenbelt development ahead of development outside the green belt and in market towns.

The Government's guidance has opened the door to those who wish substantially to undermine the original purposes of the green belt. Since then, we have discovered that Cambridge city council, which is unfortunately led by the Liberal Democrats, is pursuing that strategy. The order of preference in the studies, which includes early greenbelt development, makes it possible that up to half of the additional sites for new housing in the Cambridge sub-region will be identified in the green belt. Therefore, some studies have identified that 11,000 of the 22,000 additional houses beyond those in the pipeline would be built on greenbelt sites.

It is obvious to my constituents, and to the House, that building a maximum of 11,000 new houses on the Cambridge green belt would undermine the green belt's purposes. Maps from the studies show that such a scale of development will substantially change southern and eastern access to Cambridge.

I do not argue that the green belt should remain the same for ever. I learned at the regional planning inquiry that, in this context, planning law says that permanent means 25 years. Nothing is permanent. Addenbrooke's hospital has proposed a small addition to its site, which would be on greenbelt land, and I do not object to that because it is a necessary step. However, to develop a large urban area in the green belt, to the extent suggested by some studies that are promoted by Cambridge city council, would undermine the green belt, and that would be a direct consequence of the regional planning guidance issued by the Government.

In relation to the decisions made on structure plans, I hope that, even at this late stage, the Government will, if they can, begin to modify the consequences of the regional planning guidance, if that leads to excessive development in the green belt. I hope that, as a result of this debate, Cambridge city council, and especially the Liberal Democrats on it, will abandon its plan to build over the Cambridge green belt, which would be detrimental to those who live in Cambridge and especially my constituents.

10.20 am

Mr. Peter Lilley (Hitchin and Harpenden): My constituency is blighted by a plan to build 10,000 houses on prime greenbelt land between Hitchin and Stevenage. In a sense, every constituency with greenbelt land is blighted by that proposal, because it is the biggest ever proposal to build on the green belt.

As we know, planning is based on precedence, so the creation of such a precedent could threaten the integrity of green belts throughout the country. That proposal was such an important issue that it provoked a national row, which prompted the Deputy Prime Minister to come to Parliament to announce a change in his planning policies. We were told that the new policy would require counties and councils, when developing new structure plans, to establish all the brownfield sites first, before moving on to less brown or greenfield sites, and it was hoped that that would obviate the need to build on the green belt.

When the Deputy Prime Minister made that announcement, I welcomed it provisionally, but I said that the litmus test would be whether the new proposals were merely spin, or whether they would alter things on the ground—whether they would influence and impinge on the proposal to build 10,000 houses in the green belt between Hitchin and Stevenage.

Sadly, the Minister acknowledged, in subsequent correspondence, that the Government did not intend that the new planning policy guidance note 3 should apply to structure plans that were already in the pipeline. However, the consequence of the change had been seen on the ground—the Conservatives had regained control of North Hertfordshire district council and Hertfordshire county council, partly because of the reaction to the proposal among the electorate, who resented the way in which it had been rammed through by the Liberal Democrats and the Labour party on Hertfordshire county council. The right hon. Member for Walsall, South (Mr. George) was right to say that such matters should not be party political. Sadly, however, that was not the case in my area, where the proposal had been carried through for largely party political reasons by the Labour and Liberal Democrat parties, who saw advantage for themselves in building up Stevenage.

The consequence of the change in the composition of North Hertfordshire district council was that it took legal advice from a leading Queen's counsel on whether PPG3 should apply to structure plans that were in the process of being determined. He ruled that, despite the Government's intention, and with specific reference to the Minister's letter to me, the Government were misadvised and that PPG3 does apply to such structure plans, which must fulfil the requirements. The structure plan in question had not fulfilled those requirements, so there was a duty to reject it, which has been done. That has created an extraordinary situation. It has cast in doubt the whole planning process established by the Government, as well as what will happen in North Hertfordshire district council and Hertfordshire county council.

I call on the Minister to clarify the position by revising and reconsidering her advice. Will she accept that if the Government's policy is right for the future, it must be right for plans that are currently in the process of being implemented? If the policy can be put into effect, thereby preventing the blight on the green belt—not only in my constituency but, because of its precedential effect,

throughout the country—that must be in the interests of the country as well as my constituents. I call on the Minister to think again.

10.24 am

Mr. Mike Hancock (Portsmouth, South): I congratulate the hon. Member for Hertsmere (Mr. Clappison) on the way in which he presented his case and on having the good fortune to secure this debate. However, I am rather disappointed by those Conservative Members who have spoken, including the right hon. Member for Hitchin and Harpenden (Mr. Lilley). Many of them must have extremely short memories. Having been a member of a local authority in Hampshire, I remember the pain and destruction inflicted by not only Tory-controlled local authorities, including the Tory-controlled Hampshire county council, but the Tory Government, in acquiescing time and again to developers' pleas for ever more housing in Hampshire. The right hon. Gentleman was a member of a Government who time and again successfully supported building on the green belt rather than stopping it, so it is therefore a bit rich for him and others—

Mr. Lilley: I speak as a local Member. For 18 years, I opposed every project to build on the green belt in my constituency, and up to now I have succeeded.

Mr. Hancock: I welcome that, as, I am sure, do the right hon. Gentleman's constituents. He is worried about his own constituency, but he did not show much anxiety for other people's constituencies during the '80s and '90s, when he was part of a Government who manifestly did not care much about the green belt and did not take much notice of local people, whether they were dealing with a Labour-controlled council or a Liberal Democrat-controlled council. They completely ignored local pleas. It is therefore a bit rich for some Members now to plead that they have suddenly found that they have to fight their own corner. Many of us lost battles in the past and paid a heavy price for doing so.

I welcome the suggestion of the right hon. Member for Walsall, South (Mr. George) that no one has a monopoly over the green belt or can claim credit for having more of a conscience now for what went on in the past. We all have a part to play, and we must all work together to ensure that we protect what we have and make better use of land that has already been developed.

Interestingly, the hon. Members who have spoken so far have offered no constructive alternatives to building on the green belt. As a nation, we still have nearly 750,000 empty properties. I accept the argument that possibly half of those are in parts of the country in which people do not want to live and which do not have the job opportunities that should be available for people, but that still leaves many hundreds of thousands of empty properties in and around our big cities and towns, which, for one reason or another, stand empty. We need constructive policies that will allow those properties to come into use.

I wonder how many Members of the House of Commons live in homes that were built on the green belt or are the result of infill or backland development. I live in a house that 40 years ago would have been considered to be on the edge of a green belt, on the outskirts of Portsmouth. However, a house was there 100 years ago. My house is in the garden of a much bigger house that is still there. It made good use of land between a road, a house and the railway that runs behind. However, that is not the only answer.

In my county, endless acres of brownfield land have been occupied for the best part of a century by the Ministry of Defence, and successive Governments of both persuasions have neglected to release that land. They have seen anchors and chains rotting away on brownfield sites, when on the other side of the road, greenfield sites have been built on, in some instances simply to store empty containers and anchors of battleships that have long been scrapped. It is a public disgrace that, in a county such as Hampshire, so much derelict land should have been owned by the nation while so much of our green space was being eaten away.

We must consider what to do to resolve the problem. The pressure will not go away. The pressure for people to have somewhere decent to live is with us all. As Members of the House, we are probably confronted daily by letters from people living in pretty horrendous living conditions. The need to generate better homes is with us constantly. Such pressure will not diminish over the next 10 years. It will be constant, as the population lives longer and more people want to live independently and move into better accommodation.

Developers eye the countryside with relish. I have been involved in local government for 30 years and have seen developers building land banks, sometimes with not an inkling of a chance of a site being developed for 10, 15 or 20 years. They knew that the demand for such sites would be constant and that, sooner or later, their dream to realise a return on their investment in buying up options and farmland would materialise.

There was not a proper process for controlling how the land was developed because developers were not under pressure to look at other sites. They were not given a great deal of assistance to bring sites into use that had been used for commercial purposes. In many instances, land was heavily contaminated and the grants were not sufficient to make some of those sites viable for development purposes. It must have been in the nation's interest—and must still be—for the Government to give sufficient assistance to develop those sites and bring them into use.

Everyone in the Chamber believes that the green belt and the countryside are worth preserving and that any development should be allowed only after the most intrusive scrutiny. We want to see the national resource of the countryside protected and finances to be released to clean up the sites. We must give incentives to developers to use the opportunities that are available in our towns and cities. If we do not do that, the argument about the green belt will be repeated again and again. Opposition and Government Members may change, but there will still be pressure for homes, pressure from developers, and the cry that we must not build on the green belt. We must find a balance.

Over the past few months, the Government have tried to bring some semblance of balance. Matters cannot be decided at a local level. The pressures are too great. The easiest way to deal with the problem is for a regional view of housing to be worked on collectively by local

[Mr. Hancock]

government. If a common approach were taken and local authorities could learn to work together more closely along with the Government, the problem might be resolved. We shall be put under constant pressure because developers know that sooner or later they will win. They will continue with the wearing-down process at local authority, ministerial and planning inspector levels. They will repeatedly take on the system.

Developers have three things on their side—time, resources and the pressure from people who want somewhere decent to live. They know that if they adopt a scattergun approach often enough, sooner or later their reward will come. I hope that the Minister will say that she is completely committed to the principle that no element of the green belt should go cheaply and, if any of it does, it should be only after the most rigorous examination. None of it should go until we determine properly our policies on inner city and brownfield development. We need to make our cities and our towns attractive again for people to want to live in them. We do not want to fall into the trap of the previous Government, who, for 18 years, ignored the pleas to protect the countryside, and allowed their developer friends to rape the green and pleasant land that we all now claim to want to protect.

10.34 am

Mr. Damian Green (Ashford): I congratulate my hon. Friend the Member for Hertsmere (Mr. Clappison) on securing the debate, and I assure him that, while he spoke eloquently for his own constituents, he spoke not only for people in Hertfordshire, and his passion for defending the green belt was evident. This is an issue that has rightly been rising up the political agenda over large swathes of the country, partly because the green belt is seen to be in more crisis than ever. This is an extremely topical debate.

The right hon. Member for Walsall, South (Mr. George) made an interesting contribution. I suspect that we would agree with his wish that this were a consensual, non-party issue. It would be good if the green belt were not part of partisan political debate. Sadly, that is no longer the case. We all accept the realities, and we see from this morning's debate that everyone accepts that the Government of the day must make difficult individual choices about difficult individual issues. Therefore, the criterion by which to judge the attitude of the Government of the day is their general presumption—whether or not they feel that the green belt should be protected except in small-scale, exceptional circumstances. The evidence of their attitude is staring us in the face in the regional planning guidance documents that are being produced for various areas of the country, to which several hon. Members have referred.

It is especially sad for those who wish the issue were non-partisan that the regional planning documents show that the green belt is under threat in five of the nine English regions. That is not only regrettable; it is shaming that the Government have been reduced to that. Several of my hon. Friends have said that the Government who came to office promising to be the greenest Government ever have not only failed to live up to that promise, but are systematically undermining the protection provided to the green belt by previous Governments of both parties. That is regrettable.

Most of the debate has been about housing, but other issues have been mentioned. Notably, my hon. Friend the Member for Orpington (Mr. Horam) spoke about the problems of airport expansion, which clearly involves important and difficult decisions for any Government. The Central railway issue was mentioned by my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson). In parenthesis, I agree with his call on the Minister to reject the hybrid Bill route for any Central rail proposal. That would be an abuse of the system, partly because the promoters of Central rail are trying to use that procedure to avoid answering detailed questions that should be dealt with before the project goes ahead.

To return to the main issue of housing, the Minister for Housing and Planning has been entirely explicit about the matter. Speaking in the House, he said:

"in certain cases where it is desirable in terms of urban extension and sustainability, there may be a case for reconsidering green belt boundaries"—[*Official Report*, 29 April 1999; Vol. 330, c. 531.]

In a letter to my hon. Friend the Member for Tunbridge Wells (Mr. Norman), the Minister said:

"it is true that we are allowing some Green Belts to be reviewed".

"Reviewed" is a weasel word in this context. The Government are allowing the green belt to be eroded in various areas, which has serious long-term consequences throughout the country. We have already heard how the Cambridge green belt is under threat. Indeed, on 27 March 2000 the Minister's Department issued a press release saying that the Cambridge green belt is

"an essential part of the process of finding sustainable locations for development."

Words can clearly mean anything under this Government, if the green belt is a sustainable location for development. The point about preserving the green belt is to preserve sustainability. We have heard about Stevenage, but there are similar examples throughout the country. Some 2,500 homes are being built on the green belt near Newcastle, although there are 4,000 empty homes in Newcastle, which the Labour party controls. The Deputy Prime Minister overturned the inspector's recommendation not to build a proposed 150-acre industrial development on the green belt near Sutton Coldfield. There is a widespread national crisis.

In the Government's defence, they are reflecting their Back Benchers' views. The rural group of Labour Members of Parliament, which consists of 168 Members, issued a rural manifesto calling for more building on the green belt and the scrapping of planning restrictions on agricultural land. The new-found neglect of the green belt's importance runs right through the parliamentary Labour party. That is regrettable.

The hon. Member for Portsmouth, South (Mr. Hancock), who is no longer in his place, said that blame for building on the green belt is a non-partisan issue, but that all the problems with the green belt in Stevenage are the previous Government's fault. My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) was characteristically generous in not mentioning the full role played by Liberal Democrat councillors in Stevenage in enabling the

environmental vandalism to go ahead. They changed the council's standing orders so that the decision to drive through the proposal could be taken outside full council, in case decent members of the Labour or Liberal Democrat groups might vote against it.

The hon. Member for Portsmouth, South mentioned his party's history, but he could act now to persuade his colleagues on the Liberal Democrat benches of Hertfordshire county council to change their minds. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) mentioned that Cambridge city council, which the Liberal Democrats control, is driving through proposals to damage the green belt around Cambridge. The national Liberal Democrat party could take decisions now on matters for which it has such responsibility.

The right hon. Member for Walsall, South eloquently made the point that the green belt is not only a matter of concern in the south-east. He talked about its importance north of Birmingham. It is equally important south of Birmingham. I draw the Minister's attention to the problem of the proposed new service area on the M42. A concerned local resident, Mrs. Jean Hill, has written to the Deputy Prime Minister, and others, that she is "appalled" that he has given

"the go ahead for a Motorway Service area"

in the green belt. She says:

"The concept of the Green Belt being a protected area is a farce and is only adhered to it seems until it suits Government and vested interests."

That is the key point. I hope that the Minister will take the letter to heart. The view is now widespread throughout the country that the previous protection to the countryside that the green belt afforded has been weakened.

I know that we all want to hear the Minister's comments. I am sure that, repeating what her colleagues have often said, she will say that the Government have created 30,000 new hectares of green belt, so the charges laid at their door are unfair, but all the new land that has been designated green belt was already green land, and was not threatened. Since the Government are prepared to allow development on greenbelt land, designating existing greenfield as greenbelt land is meaningless. It adds only a false protection, because other greenbelt land is disappearing.

An addiction to central housing targets is behind the Government's problem in adhering to the previous consensus on the green belt. They still want a centrally planned system that drives housing numbers down from the centre. That system entails an all-powerful and all-knowing Minister who sits in Whitehall and decides how many new homes must be built. He or she divides that figure among the regions, regardless of the desires of local people and local councils. That is a top-down centralist system, which all sensible organisations have abolished for large-scale planning. For some reason, we preserve that method in our housing system, despite the fact that it puts added pressure on the green belt.

To take up a point made by the hon. Member for Portsmouth, South, with which I agreed, that system encourages development outside city centres, which hollows out our city centres, and that is a serious long-term problem. The underlying problem of a centralist system explains why we think that the planning system must be radically reformed; it should be bottom-up not top-down. Local people must decide the long-term consequences for their areas. In that regard, I disagree with the hon. Gentleman that that is best done at a regional level. To take the example of Stevenage, its environmental issues would be decided by the south-east regional assembly in Brighton, which is even further away from Stevenage than Whitehall. To move to a regional system strikes me as a bizarre.

As we all know, we are coming up to a general election and anyone who cares about the green belt has a clear choice. The Government's policy is stuck in the past, insensitive to local concerns and driven entirely by Whitehall. Our alternative policy protects both our countryside and our inner cities. It would preserve and enhance the green belt and it would save our precious countryside for future generations. Our approach is not only popular, but the right thing to do for the future of our green belt and our countryside.

10.46 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I begin as usual by congratulating the hon. Member for Hertsmere (Mr. Clappison) on securing this debate on the future of the green belt, which is an important subject. The Opposition have frequently tried to suggest that the Government's commitment to the green belt is open to question. However, every time they have made that suggestion we have rebutted it by demonstrating our record, and I am grateful to the hon. Gentleman for giving me another opportunity to do that.

My right hon. Friend the Member for Walsall, South (Mr. George) and the hon. Members for Ruislip-Northwood (Mr. Wilkinson), for Orpington (Mr. Horam) and for Hertsmere (Mr. Clappison) mentioned specific cases. They will understand that I cannot comment today on those proposals or potential proposals, which, in one way or another, were all concerned with the green belt. However, I can assure hon. Members of the Government's absolute commitment to the green belt as a method of restricting urban sprawl.

I am grateful to the hon. Members for Ruislip-Northwood and for South Cambridgeshire (Mr. Lansley) for reminding their hon. Friends, who seemed confused, about the green belt's purpose. It is not a designation of quality or countryside—although those are important—but is a method of restricting urban sprawl. Over the past four years, the Government's record not only demonstrates our commitment, but is in stark contrast with events when the Opposition were in government.

The hon. Member for Ashford (Mr. Green) mentioned—and I am grateful to him—that since we entered office an additional 30,000 hectares of green belt has been designated. Contrary to his remarks, that is not a meaningless achievement. It demonstrates our commitment not only to maintaining, but, where possible, to increasing that designation. I can contrast that with many celebrated examples of de-designation under the previous Administration. For example, two out-of-town supermarkets were built at White Rose, which involved the loss of green belt. Furthermore,

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[Ms Beverley Hughes]

Bluewater park in the Thames Gateway resulted in the loss of more than 100 hectares of green belt, and added to the previous Government's record of destroying town centres by letting rip with out-of-town retail developments.

Planning policy guidance 2 "Green Belts" states that regional planning guidance sets the framework for greenbelt policy in an area, and that detailed greenbelt boundaries are set in development plans. The RPGs will say whether, in the view of the regional planning body, there is a case for a strategic review of a region's greenbelt boundaries. The new regional planning guidance 9 for the south-east, which covers the constituency of the hon. Member for Hertsmere, was published last month. It makes it clear that there is no regional case for reviewing greenbelt boundaries.

The hon. Member for Ashford said that other regional planning guidances in draft or final versions have recommended a review of green belts. That is true. However, let me make it clear that the Government have not initiated those proposals for reviews of boundaries. The process of regional strategic planning starts with local authorities making strategic proposals for development. Those proposals are examined by a panel appointed by the Secretary of State, which makes representations to him for each RPG. In some cases, panels have endorsed reviews of green belts; in others, they have dismissed that option.

Even where the respective regional planning guidance has identified the need for a review, such a review does not automatically lead to a reduction in the size of green belts. It may find no case for change or a need to increase the size of green belt or adjust the boundary.

Mr. Green: The Minister has tried to give hon. Members the impression that these matters are decided by the regional planning body and that the Government are a residual part of the process. However, as she knows, the proposals for housing numbers in the south-east that were proposed by the south-east regional planning committee, Serplan, were comprehensively rejected by the Government, who insisted on a bigger figure. The Government are taking all the decisions on reviewing the green belt, not the regional planning bodies.

Ms Hughes: I do not accept the hon. Gentleman's point. I shall explain why in a moment, using the south-east as an example.

Any review of the green belt would lead, at the most, only to the minimum adjustment necessary to achieve development plans. The hon. Member for South Cambridgeshire said that he accepts that entirely. If he accepts that the main purpose of greenbelt land is to contain potential urban sprawl, it is logical also to accept that an adjustment to the boundaries that pertain at the moment is entirely consistent with a commitment to the principle and actuality of the green belt and is not tantamount to saying that we have no regard for it. The hon. Gentleman said that greenbelt boundaries are not being set in aspic, which is correct. Allowing the potential for reviews of greenbelt boundaries does not in any way diminish our commitment to the principle and actuality of the current scale of greenbelt land.

On the south-east, specifically Hertfordshire, I understand that Hertfordshire county council now proposes to review its structure plan to reflect the new regional planning guidance for the south-east that has just been put in place. I found it interesting that no Conservative Member said anything about housing needs, which is the other side of the coin. It is astonishing that they can talk about such issues without mentioning what is driving the debate. I can tell them that the Government intend that everybody should have the opportunity to have a decent home.

In the light of the consultation on the south-east draft RPG, we revised the proposed housing provision downwards from an average of 43,000 dwellings a year to 39,000 dwellings a year, at least for the next five years. It is possible that a higher rate of provision may be necessary from 2006 onwards, but that depends on the monitoring and assessment that needs to take place between then and now. I point out to the hon. Member for Ashford that in the case of Hertfordshire, that means that the number of new dwellings required each year in the period to 2006 will be no more than the county has already planned to provide. I am aware that, even before the RPG was published, the county council and district council in Hertfordshire had to think long and hard about the best way to meet existing housing needs. The county council opted for a strategy that relied on planned regeneration, with limited, small-scale peripheral development and an element of strategic development on greenfield locations.

The structure plan proposed two strategic releases of land from the green belt—one at Hemel Hempstead and the other at Stevenage, as the right hon. Member for Hitchin and Harpenden (Mr. Lilley) said. For the record, I should point out that although the county council proposed some deletions of greenbelt land, it also intended significant additions, resulting in a net gain of about 4,500 hectares of green belt. I do not accept the hon. Member for Hertsmere's argument that land is of different species, and that greenbelt land in one area cannot be replaced with equivalent land elsewhere. That is a specious and frankly ridiculous argument.

Mr. Clappison: I remind the Minister that she began her contribution by saying that the purpose of the green belt was to prevent the coalescence of communities.

Ms Hughes: Absolutely, but the hon. Gentleman must accept that, even in the terms of his own arguments, it is nonsense to say that the altering and adjusting of boundaries in one place to de-designate land cannot be compensated for in any way by strategic additions to the green belt elsewhere.

Hertfordshire county council is reviewing its structure plan to take on board our planning guidance, which is that redevelopment of brownfield land and re-use of existing buildings should be considered before building on greenfield land. That is the right and proper course of action. As the right hon. Member for Hitchin and Harpenden said, North Hertfordshire district council has sought to withdraw its development plan. That action has been challenged in the courts, and he will know that I cannot comment further while court action is pending. We shall have to await the outcome of that process.

Although I recognise the constituency concerns that have been expressed, I should say that I have heard a good deal of huffing and puffing from Opposition Members and very little substance in terms of this complex and difficult issue. They seem to be ignoring some very important facts. First, it is this Government who published the urban White Paper only six months ago. As the hon. Member for Portsmouth, South (Mr. Hancock) pointed out, it sets out a clear vision for achieving an urban renaissance, which is a very important part of the equation. If we can make our towns and cities more attractive and invest in quality services, there is less likely to be pressure to develop the countryside.

Secondly, it was this Government who put in place a firm target for re-using brownfield land, unlike the Opposition, who have a moving target at best. Our target, for which we are accountable, is that 60 per cent. of new dwellings should be built on previously developed land or delivered by converting existing buildings.

Thirdly, that target is backed by clear and firm planning guidance. The radical planning guidance for housing in PPG 3 has a clear sequential test that requires re-use of previously developed land before greenfield development is considered, and I am grateful to those hon. Members who acknowledged that fact. It also requires assessments of urban capacity such as those being undertaken in Hertfordshire and by many other local authorities. It seeks better quality development, design and layout, and better use of land than was ever achieved under the Conservative Government, who were profligate in their waste of land.

Fourthly, it was a Conservative Government who presided over a period of greenfield development and a scandalous waste of land. We are assessing brownfield land that is suitable for housing development.

Finally, we have done away with the Conservative policy of predict and provide. I disagree with the hon. Member for Ashford, who said that ours is a top-down approach. It is a bottom-up approach that gives responsibility to local authorities in a regional context. It is a balanced, integrated policy that does not pretend that there are simple one-dimensional solutions to complex and competing pressures. By contrast, Tory policy is part of the bandwagon that we have come to expect, where the "not in my backyard" syndrome is presented as a substitute for substance and balance.

Solicitors

11 am

Mr. George Stevenson (Stoke-on-Trent, South): I am enormously grateful for the opportunity to initiate this debate. I hope that other hon. Members will want to contribute to a discussion that I believe to be of great significance.

Some would argue that self-regulation by solicitors has its place and that it can work, but I seriously doubt that. The Law Society is a bastion of self-regulation. It could be called a trade association in the widest sense of that term. It has had numerous opportunities to change the way in which it operates, but there is increasingly clear evidence that its attempts have not been successful.

When I knew that I had secured this debate, I thought about my constituents and wondered whether there was any other profession with which they came into more frequent contact than solicitors. I thought of doctors, MPs and others, but concluded that solicitors are the main interface between the public and the law—the first and in many cases the only point of contact between constituents and the law. It is therefore crucial not only that the service offered by solicitors is of the highest possible quality, but that people know that if there is cause for complaint and dissatisfaction, there is a credible mechanism for investigating those concerns.

The current mechanism bothers me and I know that it bothers my hon. Friend the Minister. He wrote to me on 14 September last year, saying:

> "I would like to make it clear that the government still has considerable concerns about the operation at the Office for the Supervision of Solicitors (OSS) and wider concerns about the role of the Law Society as regulator of the legal profession."

I was very grateful for the letter and the time that the Minister gave to it. His statement indicates that there is concern not only among the public and MPs, but at ministerial level.

What have the Government done to address those concerns? A number of initiatives have been taken and we await their outcome. The first is the targets set by Ministers for the Law Society and the Office for the Supervision of Solicitors to get their act together and improve performance. One might have thought that the strong message contained in the target setting—to which I know that the Minister is fully committed—would have hit the mark and that we might have seen some action, but I fear that that is not the case. The targets were set in July 1999, but the picture that emerges in respect of some of them is not encouraging.

One target set was that the percentage of cases in which the legal services ombudsman was satisfied with the handling of complaints by the OSS should not decrease by more than 1 per cent. from its then level of 64 per cent; however, within six months, the satisfaction level had fallen to 53 per cent. Another target stated that monthly progress reports were to be published, which was essential to demonstrate to the public and Parliament that the project was moving ahead according to plan. Those reports may have been published, but I have not had sight of one. Perhaps other hon. Members have seen them; if they have, I would be grateful for their advice, as it appears that that target has not been achieved either. Another target set was that 90 per cent. of cases should be dealt with within

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three months of receipt of the case, and 100 per cent. within five months. According to my information, the outcome is "not known". The evidence for the OSS meeting the targets that were set is not encouraging. It appears that in some cases the targets were ignored and that in others they were not met.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): It might assist my hon. Friend if I confirm that the monthly reports were received by my Department. To précis: the numerical target of 6,000 cases which the Law Society was due to achieve by the end of December 2000 was the only target that was met.

Mr. Stevenson: On the basis of the information that I have received, that is subject to debate. That target may have been set and the Law Society might argue that it has met it, but I am advised that that takes no account of new cases. It simply refers to the backlog, and new cases are coming in at an increased rate. Although my hon. Friend's intervention was helpful, it must be put into context. I remain—like him, I am sure—far from satisfied that the Law Society has taken the targets seriously. That must be of enormous concern to him.

Mr. John Burnett (Torridge and West Devon): Albeit that the number of new cases registered is not necessarily a good guide, because some might be frivolous and some not, it is a guide none the less, so it is interesting to hear the hon. Gentleman say that new complaints are being registered at an increasing rate. Does he know the rate at which they are increasing? That would be of great interest in this debate.

Mr. Stevenson: I have checked with the Library and I hope that I can find the figure in my pile of papers. According to my reading of the information that I received from the Library, there is a rising trend.

In the light of the concerns expressed, what has the Law Society decided to do? Toward the end of last year, it published a consultation document entitled, "A new Law Society for a changing profession". We all live in hope of a new Law Society. I responded to the document as, I am sure, did many of my colleagues, and I have the reply I received in front of me. As a non-lawyer—which is neither a good nor a bad thing—it was necessarily from a layperson's viewpoint that I commented on the document. After all, we are worried about the effect on the public and the service and what our constituents think about the legal profession and self-regulation.

The most cursory glance at the document, albeit from a layperson's perspective, convinced me that most of it relates to the interests of the profession. I could quote from the document, but I do not want to waste valuable time justifying a fair comment. Suffice it to say that little of the document relates to the public interest—indeed, the public interest is not reflected in the document. That is a cause of serious anxiety.

The first section of the document, headed "The reform proposals", states that the council of the Law Society

"resolved that the Society should set itself the goal of becoming a model regulator as well as measurably improving its performance as a representative body."

That sets the tenor and theme of the document. Given that the Law Society has so far miserably failed to achieve the targets that Ministers have set, we cannot have great confidence in its ability to achieve either of the objectives it has set itself.

The document is administrative. One of the two main proposals it contains is that the council should be increased from 75 to 120 members. That is fine—it might do the trick; on the other hand, we might end up with more people not doing what they should be doing. The proposal is not encouraging. The other main proposal is to appoint a lay commissioner to deal with cases involving what is described as "minor misconduct" and complaints. That might be a step in the right direction, but I am not convinced.

The document is designed to underpin the present self-regulatory system, which many of us believe has failed. It proposes cosmetic or administrative changes to the system that will have no effect other than to perpetuate a system that deals almost entirely with the interests of society members and has little to do with the interests of the public. Let me give two examples of why I am convinced of that. The first is slightly historical, and I hope that you, Mr. Cook, will indulge me a little.

In the mid to late-1980s, the Law Society and British Coal—now the Coal Authority—were engaged in a secret process. I say that the process was secret because, as far as I am aware having done a lot of research into the matter, they consulted no one. In 1989, the Law Society and the then British Coal decided to change the format and content of responses to mine searches in house and property conveyancing. The change related to standardising such responses for the convenience of solicitors. The argument was that the change was designed to make the matter easier for the public to understand, but I doubt that. They agreed to change the rules in 1989, but they did not advise any society members—solicitors—who were conveyancing properties until two years later, in 1991.

In the meantime, my constituents were buying and selling houses on the basis of the old formula. In 1991 they went to bed on a Sunday night and their house was worth X, but because of the changed formula, when they woke up Monday morning and tried to sell their house, they found that their property had been devalued—in some cases by two thirds. That happened in my constituency, in that of my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) and in other constituencies in north Staffordshire.

It is obvious that the Law Society acted to make the life of its members easier. It took no account of the effect that such a change would have on the thousands of people who had bought their houses in good faith, or of the notorious unreliability of the Coal Authority's records. It was interested only in standardising the system and making the life of solicitors easier. What happened has a contemporary relevance. I am delighted to say that, 12 years later, after the most horrendous battle in which many of us were involved, some of my constituents have won compensation at the High Court. They had to take their battle there. We will wait to see if the Coal Authority appeals.

Why did the Law Society , which purports to protect the public interest, become engaged in such an exercise and turn a blind eye to the devastating effect that it had

on people? Twelve years later, recompense has been achieved, but it is interesting to note which organisation was taken to court and will have to cough up the money: it is not the Law Society, which has ridden away into the sunset, but the Coal Authority that will have to pay. Only one partner in that infamous partnership has been taken to task. The Law Society remains Teflon-coated.

I was grateful to the Minister for giving up his time to discuss with me the horrendous case of my constituent, Mr. Paul Tams. He was going through a particularly messy divorce and was involved with two firms of solicitors. The first one was the hors d'oeuvre, the second one was the main meal. The hors d'oeuvre was unpalatable, but the main meal was indigestible. The hors d'oeuvre was the solicitor A who, according to my constituent, Mr. Tams, was not satisfactory. My constituent consulted me and I made representations to the OSS, which investigated the matter, and the Law Society. They did not want to know. The matter was referred to the legal services ombudsman, who found that there had been faults and told the OSS to undertake a further investigation because he was not happy with the results of the first. The OSS took away the matter and—surprise, surprise—reached the same conclusion. Why should we be surprised by that, given that the reason the case was referred back to it was that the OSS had not done the job right in the first place? When the legal services ombudsman is not satisfied with the way in which complaints are handled, an adjudicator independent of the Office for the Supervision of Solicitors should undertake a further investigation.

Now for the indigestible main course. My constituent, Mr. Tams, lost the case that he was pursuing and was saddled with the most enormous costs. Solicitors firm B—the other firm that was involved—was referred to the legal services ombudsman after my constituent consulted me. After investigating the case, the legal services ombudsman concluded that the firm had been "incompetent and inefficient". I wrote to the Law Society and the OSS to ask what they would do in the light of that judgment.

The reaction to the devastating judgment of the legal services ombudsman was that the trenches filled up, the battens were dropped and defence of the profession became paramount. The response fell into two categories. First, amazingly, the OSS accepted that firm B had been incompetent and inefficient—one cannot use stronger terms than that—but said that it could not take action against the firm because the code of conduct for the practice of solicitors had not been breached.

How can a firm be deemed incompetent and inefficient, yet be protected by the code of conduct set down by the Law Society? What must a firm be deemed to be before it breaks the code of conduct—murderers? Must we do DNA testing? What must a firm do before there is a breach of the inviolate code of conduct, which is there to protect solicitors, not the public? I do not have the answer to that, but I hope that the Minister does.

Again, I challenged that answer vigorously on behalf of my constituent—other hon. Members would have done no less. I received another reason why action could not be taken, which was that firm B had acted on behalf of my constituent's ex-wife, not him, and that the client, not a third party, must make the complaint. There may be reasons for that, which I do not understand, but it makes not one iota of difference to the fact that firm B was deemed to be incompetent and inefficient and my constituent suffered.

The hatches were battened down, the guns were put out and the trenches were filled with Law Society interests. If you try to take those trenches, Mr. Deputy Speaker, you will have a battle on your hands. I have been a trade unionist all my life, but I have never seen such an effective body as the Law Society. I take my hat off to it. If we had been as effective in my trade union days, Baroness Thatcher, when she was Prime Minister, would not have touched us with a bargepole. I do not blame any Government for not taking on the Law Society—it is highly effective at doing what it does best, which is protecting the interests of its own members.

The matter has been going on for some time. I have had the pleasure of meeting my right hon. Friend the Member for Ashfield (Mr. Hoon) when he was the Parliamentary Secretary, Lord Chancellor's Department; I also had the pleasure of discussing the matter with my hon. Friend the Member for Leicester, East (Mr. Vaz) when he held that position. All my right hon. and hon. Friends agree with the Law Society, and I have the correspondence to prove it. If solicitors are incompetent and inefficient but have not broken the code of practice, nothing can be done. If a firm acts on behalf of someone other than the third party, but the third party suffers as a consequence of its incompetence, nothing can be done. I want my hon. Friend the Parliamentary Secretary to know that I am disappointed, especially as the Government, through the office that he now holds, agree with such damaging nonsense. That cannot be justified under any circumstances.

The Ministers agree with that incredible situation, as does the legal services ombudsman. I also have in my possession letters from that office. It is, supposedly, the guardian of the public interest—its longstop, its last resort—and it found firm B to be incompetent and inefficient, yet it agrees with the Law Society's statement that nothing can be done because the code of conduct has not been breached. That is incredible.

Mr. Burnett: The hon. Gentleman has presented a powerful argument. Was no sanction, such as a fine or a rebuke, levied against the firm by the OSS? Did the injured party instigate proceedings against the law firm?

Mr. Stevenson: The answer to the first question is no. I have the documentation to prove that: I have letters from the OSS that baldly state that the case is closed and that it is not prepared to pursue the matter further. Those letters express incredible insensitivity and arrogance—and there must be more fine words that could be used to describe that attitude.

The answer to the second question is also no: those involved simply washed their hands of the matter. It is neither acceptable nor in the public interest that Ministers, the Law Society and the OSS agree that nothing can be done because the code of practice was not breached.

Self-regulation worries me, although it might have a role to play. The public interest is what matters, not the interests of lawyers and solicitors, yet the current system does not take account of the public interest, and I doubt

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whether that will be changed by the marginal alterations proposed by the Law Society. There is a truckload of evidence to support my contention that that self-regulatory body prioritises the interests of its members, rather than those of the public. I call on my hon. Friend the Minister at least to consider removing the activities of the OSS from that self-regulatory body and entrusting them to an independent body. If that were done, the vital task of restoring public confidence in the legal profession could begin.

11.28 am

Mr. Austin Mitchell (Great Grimsby): I rise with trepidation, as I am surrounded by many solicitors whose aim is to articulate their vested interests. However, this is a consumer matter: Members of Parliament represent the consumers and want to protect their interests. Those interests are not protected by the present structure—indeed, they are probably endangered, as practices increase in size and production-line law becomes more common owing to the pressure of costs.

The public need the law more than ever before. They need it to protect a wide range of their interests, including employment and matrimonial rights and disputes, but the law is pricing its services beyond the range of most people. The law is now needed by people who are not familiar with the middle-class tradition of a long-standing connection with "my solicitor". They need the protection of an independent system of regulation to protect their rights and to ensure that they can access legal services with confidence.

I am aware that that is a difficult matter, because few people are satisfied after a legal action, but that is the reason why regulation must be independent. An independent regulator would be able to judge whether a legal failure was the result of the inadequacy of the case or the incompetent performance of solicitors. That task cannot be performed by a self-regulatory framework managed by vested interests. The Mafia cannot regulate the Mafia; it is logically impossible and it does not happen in respect of the police or other sections of the regulatory world. That system of the Mafia regulating the Mafia has failed in the law, it is continuing to fail and it ought to be abolished. Otherwise people will be unable have confidence in the sector. The saga is a long-running one.

I congratulate my hon. Friend on securing this important debate. He dealt powerfully with the case against self-regulation in its present form. I remember having lots of disputes with the Solicitors Complaints Bureau which, when I referred matters to it, always came back with the same answer: it always suggested hiring another solicitor to sue the first solicitor and throwing good money after bad.

I recall a dispute in my constituency over a few yards of land on a transfer. The first firm of solicitors dealt with the matter totally incompetently, advised suing everyone involved but did not take the obvious route of referring to the Land Registry to discover what was in the deeds. That firm was censured by the Solicitors Complaints Bureau, which recommended the client to sue it. Another firm was hired, although it is difficult to get firms to sue each other in a small community such as Grimsby, because they do not like to break the freemasonry. However, the client sued the firm. When that proved equally unsuccessful, the Solicitors Complaints Bureau recommended hiring a third firm of solicitors to sue the second firm.

Such ludicrous developments were typical of the regime and still are. They produced pressure for change and a drive for independent regulation, which began in the 1980s. That movement was backed by our Prime Minister when he was first elected to Parliament; he said that there should be independent regulation. I recall debating the Courts and Legal Services Act 1990, which took us towards that goal—that was in the days when I could get on Standing Committees dealing with subjects in which I had an interest. That Act created the legal services ombudsman to carry out independent scrutiny and the complaints escalated.

In 1996, the Law Society opted for a respray. The Solicitors Complaints Bureau became the Office for the Supervision of Solicitors and asked for patience for three years in which to get its act together and make the service effective. The director left before those three years were up—the first of a series of directors to leave. It must be one of the most invidious jobs in the country, seeing as people parachute out of it at such an extraordinary rate. The Law Society demanded 18 months more to get its act straight. In that it is unlike the people whom its members represent in court, few of whom ask for 18 months more on their sentence.

The Lord Chancellor set targets that were, presumably, agreed with the Law Society, which told us that enough investment was in place to do the job and reach the targets. We set off again happily, hoping that something would be done, although I do not think that much was. As the Minister wrote to hon. Members in November 1999, solicitors were told:

> "If that does not happen, the Government will use the powers in the Access to Justice Act 1999 to enforce a proper complaints system for solicitors through the legal services ombudsman."

That did not happen.

I worry, as the Minister worries, that the Lord Chancellor's Department is in collusion with the Law Society to enable the society to avoid the consequences of its incompetence and to protect it from the necessary action that has to follow. I pay tribute to the current Parliamentary Secretary, my hon. Friend the Member for Wyre Forest (Mr. Lock), who has been accommodating, frank and open with hon. Members in providing us with information. However, the whole Department does not share his views and always puts the performance of the Office for the Supervision of Solicitors in the best light.

It was clear that the Law Society had not met and could not meet its targets. They were therefore diluted, although the Lord Chancellor warned the Law Society that it was on its last chance and that he could not be clearer than that. Let us examine the process of dilution. The Law Society report summarily halved the annual number of complaints without any justification. The legal services ombudsman did not comment on that, but continued to quote the original, higher number of complaints for six months before suddenly quoting the adjusted lower figure.

The Lord Chancellor told the Select Committee on Home Affairs that client or consumer satisfaction was a basic consideration, but consumers or clients were rigorously excluded. In November 2000, and again in February this year, leaks from the legal services ombudsman showed that the ombudsman had been inundated with complaints about the Office for the Supervision of Solicitors. There were complaints about handling procedures, and the Lord Chancellor's targets set deadlines varying from immediately to 18 months, but none of those targets was met. A diluted target was then accepted by the Lord Chancellor. Under the original target, the number of complaints with whose handling the ombudsman was satisfied should not have decreased by more than 1 per cent., but within six months, the satisfaction level had fallen from 64 per cent. to 53 per cent. A new target has now been agreed.

It was originally claimed that the number of unresolved cases on the books of the Office for the Supervision of Solicitors should be reduced to 6,000 by 31 December 2000. My hon. Friend the Minister told us that that target was reached. It was proclaimed in an amendment to my early-day motion by the hon. Member for Stafford (Mr. Kidney) and the Law Society, with overwhelming support from a small group of five people whose views I respect. Have the targets been achieved? The number of unsatisfactorily handled complaints should surely be added to the 6,000 unresolved targets, so there are really 13,000 unresolved cases. In the light of that, the target becomes laughable. Under the original target, 90 per cent. of cases should have been dealt with within three months of receipt and 100 per cent. within five months. We do not know yet whether that happened—we have not been told—but a new, lower target has been decided and allocated by the Law Society. The society has failed to reach its targets, failed to fulfil the assurances given to the public and failed to satisfy the Lord Chancellor's requirements. There is clearly no satisfaction.

A large number of hon. Members wish to speak, some of whom wish to defend the vested interests of the profession, so I shall conclude by saying that this is a matter of basics. The system is failing: it was not adequate in the first place, and it cannot command confidence because people cannot see that justice is being done by a body that is financed and run by the Law Society but adjudicates on the decisions of solicitors. That cannot command satisfaction. Clearly, the Law Society has tried, and I give credit to the present president of the Law Society—it certainly had problems with the last chief executive. However, it cannot stem the rising tide of complaints that reflect a rising tide of dissatisfaction. Radio and television programmes featuring the profession show the hostility and dissatisfaction of people dealing with solicitors. People are simply not happy. It is our job to protect consumers and to ensure that their interests are protected. A self-regulatory framework cannot satisfy them, because it is not seen to be fair.

The Law Society appears unable to be efficient because complaints never have a high enough priority in the organisation. Indeed, I wonder whether it can afford to provide the proper machinery to adjudicate complaints. The system cannot give compensation or real satisfaction to customers, which is what they are out to get. As my hon. Friend the Member for Stoke-on-Trent, South graphically showed, it does not deal effectively with the firms against which complaints are made. No sanctions operate, and consumers receive no compensation.

Sadly, we have to conclude that the Lord Chancellor's Department cannot regulate effectively on the matter, because it has taken on the role of protecting the vested interests rather than acted as the representative of Parliament and consumers to ensure that the profession lives up to requirements. I am sad to see a steady turnaround in what I hoped would be a reforming Lord Chancellor's Department that would drastically change the structures of the profession and regulation. It now has its own problems and is fighting a rearguard action against the proposed Ministry of Justice, but I give it no sympathy or support in that struggle. It is about time that the Department showed its value by protecting consumers. We cannot have a Lord Chancellor's Department behaving like "King Log", blocking the path to reform.

There is no way out except independent regulation. It may have to be financed partly by the Law Society and partly from public funds, but the regulation framework must be independent, include non-solicitors and the consumer interest and have the power to impose fines and sanctions and to grant compensation to people who have not received a satisfactory service. The Government have, rightly, chosen that path after years of Tory attempts to have self-regulation in everything—indeed, I thought at one time that they would produce a self-regulating society with no public authorities regulating at all. The Government have introduced independent regulation in financial services with a power to act effectively. For other consumer matters, we already had trading standards officers to introduce independent intervention and regulation. For administrative matters, we have an ombudsman, who is not powerful enough, but is fulfilling a satisfactory role. On food matters, we have the Food Standards Agency to provide independent regulation. We cannot make progress in an increasingly important area, in which consumers are so exposed to professional ramps, self-congratulation and self-service, without effective and independent regulation of complaints against solicitors—and the Bar.

11.43 am

Mr. David Kidney (Stafford): I congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on securing the debate. I have informed both him and the Minister that I must leave a little early for another appointment and I will, unfortunately, miss the Minister's speech.

It is a little unfair to depict me as coming here to defend self-interest. The interest that I declare is that for 20 years I was a solicitor in private practice. I gave up as soon as I was elected to Parliament, because that was important to me. I stopped holding a practising certificate, which allows people to act as lawyers, but I have kept my name on the roll of solicitors, which simply means that I receive a weekly magazine called the *Gazette* from the Law Society. That is the extent of my interest.

I share my hon. Friend's concern that when people go to lawyers, they should receive a good quality of service. If they do not, there should be a simple process whereby

[Mr. David Kidney]

they can have redress for what has gone wrong. That is absolutely right. The wider issue, which is what we have debated so far, is whether self-regulation can ever work. That is a valuable debate to have, but I take a slightly different view from the one that has so far been expressed. First, in fairness to lawyers—this may be one of the few things that is said in fairness to them today—it is true that good lawyers act as public interest guardians every day in the work that they do in a society that prides itself on due process of law. It is important to place that fact on the record.

There is much questioning in today's society about whether self-regulation can work. That debate does not focus solely on the legal profession; because of some notable failures of self-regulation, the medical profession has recently come under a great deal of pressure and faced calls for change. On the other hand, there is traffic in the other direction, such as the general teaching councils that were set up by this Parliament. I offer two thoughts about self-regulation. First, self-regulation can work if it adapts to new consumer attitudes and demands. Secondly, if self-regulation does not work, Government can regulate more, but that would not necessarily exempt the regulatory system from the need to meet consumer expectations.

When I was a solicitor, I did not have much to do with the Law Society or the Office for the Supervision of Solicitors or its predecessor, the Solicitors Complaints Bureau. I do not know whether people will think that my lack of dealings with the former is a merit, but I certainly hope that they will think that as far as the latter is concerned. It is true that I now have many more dealings with the Law Society, because it recognises me as someone who is sympathetic to its cause. I accept that; nevertheless, I am a critical friend. For example, when the Access to Justice Act 1999 went through Parliament, I served on the Standing Committee. By Committee stage, no provision had been made in the Bill for statutory regulation. I suggested to my right hon. Friend the Member for Ashfield (Mr. Hoon), who was then a Parliamentary Secretary in the Lord Chancellor's Department, that there should be such a provision as a reserve power to hang over the heads of lawyers. I do not know whether I was the only voice or one of many; nevertheless, the Bill was changed, and there is now such provision.

Mr. Stevenson: As a friendly critic of the Law Society, when my hon. Friend was practising, would he have expected action to be taken against him and his firm by the Law Society if he and his firm were deemed to be inefficient and incompetent?

Mr. Kidney: Yes, absolutely. There should be a simple and effective system for lawyers practising today. My hon. Friend has listed the ways in which he thinks the system is deficient at present, but that does not necessarily mean that we have to move to statutory regulation.

The Lord Chancellor used the provision that hangs over the head of the Law Society to achieve certain changes. Whatever people might say about the Office for the Supervision of Solicitors, it is true that the Law Society doubled its budget to £10 million and employed another 155 staff to deal with complaints. The number of complaints fell—the actual figures are disputed—from about 17,000 to about 6,000 by the end of last year. Similarly, the time taken to deal with complaints has decreased. However, turnaround times and quality must still be improved and that is why the Lord Chancellor imposed new performance targets. He continues to hold a reserve power of statutory regulation over the head of the Law Society if it does not comply with his targets.

In the meantime, legal self-regulation is changing for the better. I am happy about the present leadership's emphasis on lawyers providing a quality service and dealing with complaints in-house. I am happy that lay members are now involved in the work of the Office for the Supervision of Solicitors. I am happy that the Lord Chancellor's Department has imposed performance targets and that there is independent scrutiny by the legal services ombudsman. My hon. Friend the Member for Stoke-on-Trent, South said that more changes are proposed. I am pleased about the possible appointment of a lay commissioner, a complaints redress scheme, the increase to £5,000 for compensation awards, the power to reduce bills and require remedial action, greater use of mediation and conciliation, and guilty lawyers paying part of the cost of regulation, which is similar to the so-called "polluter pays" principle.

I am happy to see that the *Gazette*, which I still read four years later, has increased its emphasis on good practice by lawyers. A recent issue includes good practice guidenotes for lawyers to follow and an article by Janet Paraskeva, the present chief executive of the Law Society, entitled "Ten steps to success". I would be happy to show the article to my hon. Friend so that he can see the many references to the public interest and consumers. That is a reassuring development. Change is coming, even though my hon. Friend can point to a time when it was not.

Finally, it is vital that the quality of service and the outcomes are right. If they are not, the Law Society has blown it, and I would expect—as everyone else would—the Lord Chancellor to use his reserve power and introduce the statutory scheme for regulation.

11.49 am

Mr. Mark Fisher (Stoke-on-Trent, Central): Like others, I congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on initiating a debate that has wide implications for our constituents. He made a powerful case, as a highly experienced trade unionist with the Transport and General Workers Union, for the effectiveness of the Law Society as a trade union body representing its members. I agree, and have experienced many of the things that he and other hon. Members have described. In my experience the oft-suggested solution—that solicitors take up cases against other solicitors—is a fantasy. I have had enormous difficulties in Stoke-on-Trent getting any solicitor to take up a case on behalf of a constituent against another solicitor. That is a genuine difficulty.

The problems arising from the self-regulating nature of the Law Society are not solely to do with discipline. I would like to raise a different concern about how effectively the Law Society responds to the problems of my constituents, and what pressure, as the representative trade union body, it is putting on the

Government on certain issues. My key concern is access to legal advice and representation for my constituents and others in cities like Stoke-on-Trent. In particular, I am concerned about access to legal representation on basic matters of everyday concern to my constituents—housing, education, social services, debt, welfare rights and immigration. Those are matters of enormous importance but, at the moment, representation is hard to get in some cases. I want to know from the Minister the extent to which the Law Society is concerned about the problem, what pressure it is putting on the Minister and what its solutions are.

I commend the Government on the introduction of legal aid contracting, of which I am a strong supporter. However, in Stoke-on-Trent, a city of 275,000 people and the 11th biggest in the country, there is no solicitor with an education contract—indeed, there is no solicitor in the whole of Staffordshire with an education contract. There is one solicitor with a contract for debt, one solicitor for welfare rights, one for mental health and two for immigration in a city that has a large Kashmiri population. What are my constituents to do?

Has the Minister received representations from the Law Society on those matters? Does the society share our concerns? One solution that it might recommend to the Minister—I would be interested to know whether it has done so—is to increase the number of tolerances. However, that is not ideal, because it raises the question of quality thresholds. As I understand it, the Legal Services Commission is trying—correctly in my view—to close down tolerances, because there is no way of ensuring quality if tolerances spread. There are solicitors in my constituency who take up that sort of work and have as few as 10 tolerances a year that they can take outside their contract. One solicitor said that he could do 10 in a week, such is the demand in areas such as education.

Stoke-on-Trent has a strong, forceful and good local education authority. It operates—I suspect with the approval of the Government—a tough policy on those who disrupt education, and the exclusion rate in Stoke-on-Trent is one of the highest in the country. However, even if young people are disrupting education, they and their parents have a right to representation and, as there are no solicitors with education contracts in the city, that presents a real problem. There appears to be no solution. What is the Law Society saying to the Minister about it and what is it doing about it? What is it offering on behalf of the profession? Does it, as I fear it may, support the initiative of the eight big London firms that have set up their own law school in London to cream off the talent for commercial law? That is not the way to go, as I hope that the Minister will agree. It will create problems rather than solve them.

Is the Law Society pressing for better rates of pay? That would provide only a partial solution to the shortages of contracts. I was amazed to find that caseworkers in Stoke-on-Trent start their legal careers representing my constituents on £14,000 a year, and that a fully qualified solicitor in Stoke earns on average about £18,000 a year. No wonder it is difficult to recruit people. When there is no contract, it is almost impossible to persuade the commission that a firm has the experience to get the work and qualify for a contract.

The Law Society may be pressing the Minister and his representatives for a system of fully salaried solicitors, perhaps modelled on the immigration expansion package. That idea has some virtues. However, it is unclear whether the Law Society is exercising itself at all. It has a duty to defend not only solicitors, but the whole legal profession, and it must be a powerful voice on behalf of solicitors' clients as well. Many of the concerns raised by my hon. Friend the Member for Stoke-on-Trent, South about how the Law Society protects itself from criticism would appear in a different light if it took a positive and imaginative approach to improving the quality of legal representation on crucial social issues such as education, social services, debt, welfare rights, immigration and so on.

In a nutshell, cities such as Stoke-on-Trent do not have enough suppliers. That is a problem, as my constituents are often desperate. There are no easy solutions. I gather from the papers that Mr. Steve Orchard, the chief executive of the Legal Services Commission, is pressing the Government hard on such issues, as I hope the Minister will confirm. Is the Law Society doing so? It has questions to answer on self-regulation and discipline and it must be much more energetic about legal representation for some of the poorest and most needy members of our society.

11.57 am

Mr. John Burnett (Torridge and West Devon): I, too, congratulate the hon. Member for Stoke-on-Trent, South (Mr. Stevenson) on securing this important debate. I should declare the fact that I am a solicitor, but one who ceased to practise shortly after being elected to the House, like the hon. Member for Stafford (Mr. Kidney). I am definitely not an apologist for either branch of the legal profession. I want to ask the Minister one or two questions on some specific matters.

Will the Minister confirm whether the lay members of the Law Society's supervision committee—it supervises the Office for the Supervision of Solicitors—are in the majority, as I believe they are? I am also anxious to know who chooses the lay members.

The ability to transfer a case from the OSS to the legal services ombudsman is fairly narrow. I understand that a case or complaint has to exhaust the OSS process before the ombudsman can consider whether her organisation should deal with it if it is referred to her. Does the Minister know whether there is a rising trend of cases being examined by the ombudsman? As I said in an intervention, cases referred to the OSS can be frivolous, but cases referred to the ombudsman are unlikely to be frivolous or vexatious. The statistics would be interesting.

Mr. Stevenson: Does the hon. Gentleman accept that those statistics may or may not support an opinion? An increasing number of my constituents are losing faith in the ability of self-regulation to protect their interests, but they refuse to make a complaint. The statistics might show only the tip of the iceberg.

Mr. Burnett: I am extremely grateful to the hon. Gentleman for that intervention. I shall return to it later.

The legal services ombudsman refers cases back to the OSS and has minor powers to fine. Is the Minister satisfied not only that the legal services ombudsman has

[Mr. Burnett]

sufficient powers to impose fines in individual cases but that the ombudsman has adequate powers in relation to the OSS and to the appropriate committee of the Bar Council?

Although the debate is about the Office for the Supervision of Solicitors, I should not like to let it pass without referring to the make-up and effectiveness of the supervisory committees of other professions—I know that the hon. Member for Great Grimsby (Mr. Mitchell) is interested in that subject. En passant, I cite the Institute of Chartered Accountants in England and Wales, the Royal Institution of Chartered Surveyors and the Royal Institute of British Architects. Do the Government believe that it is time to have an independent adjudicator to look at the conduct and costs of all the professions? Are they satisfied that those professions that are not independently regulated should be the ultimate judges in their own causes? Do the Government believe that the clients of the professions—the consumers—should have recourse to an independent adjudication process? This country has many excellent professionals, and I believe in self-regulation. Nevertheless, should not consumers ultimately have recourse to independent adjudication, particularly in such vital matters as conduct and costs?

12.2 pm

Mr. Edward Garnier (Harborough): I am grateful for the opportunity to contribute briefly to the debate. I congratulate the hon. Member for Stoke-on-Trent, South (Mr. Stevenson) on having raised a matter that is of considerable importance not only to him as a constituency Member of Parliament, but to all who are interested in the conduct of the provision of public services in the law. He made his case cogently and powerfully, as always, and I listened to him with great care. It is indisputable that he is no fan of self-regulation. That view is shared by the hon. Member for Great Grimsby (Mr. Mitchell). He and I have often debated on the Floor of the House the questions that we are discussing today—and the wider issues connected with the public funding of legal services—and I have read his contributions on the subject in the newspapers.

The hon. Member for Stoke-on-Trent, Central (Mr. Fisher), too, is not a fan of self-regulation for the Law Society, although, from the tone of his remarks if not their substance, he seems more prepared to see both sides of the coin. Among the many interesting points that he raised was that of the funding of what I might call public service lawyers, important not only in his urban constituency but in the constituency of Great Grimsby, the Minister's constituency of Wyre Forest in the west midlands, and in Stafford, represented by the hon. Member for Stafford (Mr. Kidney).

Indeed, even in my constituency, which is largely rural, there is much concern about the effect of the Government's reform of publicly funded legal services on the number of solicitors who are prepared to do the work. I believe that one dispute between the Lord Chancellor's Department and members of the Law Society who do criminal work has now been resolved, but there is a continuing dispute involving barristers who do publicly funded family work. However, I understand that the Minister or one of his colleagues has laid a statutory instrument before the House to deal with arrangements for the funding of those services, which comes into force on 1 May.

A raft of issues is hidden beneath the surface of the debate, which although not strictly germane to the subject raised by the hon. Member for Stoke-on-Trent, South, should not be brushed aside.

Mr. Lock: If the hon. and learned Gentleman is so concerned about the funding of lawyers, why do the Conservative party's proposals include the removal of £236 million from debt welfare benefits, in addition to the other proposals mentioned by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), and the removal of £300 million from family law, thus excluding all those services from public funding?

Mr. Garnier: I had hoped that we would be able to conduct this morning's discussions in a less contentious spirit than that adopted by the young Minister. We are not proposing to do those things, and that is probably where we should leave that Aunt Sally. I know that the Minister is keen on Aunt Sally. He likes to take her out from her old people's home most afternoons—

Mr. Mitchell: It makes a change from Prudence.

Mr. Garnier: Yes, but given the last Budget, even Prudence seems to have been put away in some oubliette. However, I am being diverted.

The hon. Member for Stoke-on-Trent, South quoted a list of complaints about the performance of the OSS in meeting the targets agreed between the Law Society and the Government Department with responsibility for that aspect of public policy. He also referred to the effect of the agreement between the National Coal Board—now the Coal Authority—and the Law Society on house values in his constituency. Those are important matters in any event, but especially for his constituents who are affected by them. I congratulate him on raising those issues in the Chamber this morning.

The hon. Gentleman also mentioned the case of one of his constituents, Mr. Tams, who has had a singularly unsatisfactory relationship with at least two firms of solicitors and seems to have been treated badly, both by those firms and by the profession. The hon. Gentleman is right to complain about how the matter has been handled, because it must have been frustrating not only for his constituent, but for him as a Member of Parliament who has his constituent's interests firmly in mind. As a member of the Bar and of the Opposition, I am not in a position to give him an answer, but I am sure that the Minister will be able to help.

Mr. Stevenson: I realise that time is pressing, but I want to make it clear that I am not complaining merely as a constituency Member of Parliament. How can a firm of solicitors that has been deemed to be incompetent and inefficient be protected by the code of practice laid down by the Law Society from the consequences of that charge?

Mr. Garnier: The short answer is that I do not know. If a firm of solicitors has been incompetent, it should not

have been protected by the code of practice. I expect that the Minister will be able to provide the hon. Gentleman with the answer he seeks.

The hon. Member for Great Grimsby said that he was surrounded by solicitors. He is not: there are only two in the Chamber, as well as two members of the Bar—the Minister and myself. If there are any other solicitors present, in addition to the hon. Members for Torridge and West Devon (Mr. Burnett) and for Stafford, they are keeping quiet about it. We put up our hands and hang our heads in shame if we dare to confess the hideous offence of being a lawyer.

Perhaps I may say, in parenthesis, that one of the sad aspects of this Parliament is that it has been a lawyer-bashing Parliament. That is a pity, because publicly funded lawyers do a tremendous amount of work for their clients and are not richly rewarded for it, as the hon. Member for Stoke-on-Trent, Central was good enough to say. He mentioned incomes of about £18,000 a year. It is because they are so ill remunerated that so few law students now want to enter that branch of work, and those who have been doing it are giving it up, which is regrettable. I trust that measures can be put in hand to encourage people to continue with such work.

The hon. Member for Stafford described himself as a critical friend of the Law Society. I would go further and describe him as a critical friend of the Government. That is a compliment, not an insult.

Mr. Fisher: Do not wreck his career.

Mr. Garnier: I am sure that the hon. Member for Stafford is capable of looking after his political career inside the House as well as his career outside it. Whichever he chooses, I am sure that he will do very well. He needs neither my plaudits nor the encouragement of the hon. Member for Stoke-on-Trent, Central to make a name for himself. I listened with great interest to his remarks today and to what he said in debates when the Access to Justice Act 1999 was in Committee. He made good points at that time, and today, and I congratulate him on what he said.

The hon. Member for Torridge and West Devon is, as I have pointed out, the other solicitor present today. He asked who appoints the lay membership of the new commission. The Minister will give him a definite answer, but my understanding is that the Master of the Rolls makes those appointments. However, I might be wrong. Who am I, as a mere member of the Bar, to say what goes on in the Law Society?

I note the interesting point that the hon. Gentleman made about a general disciplinary body to regulate or control the professions, be those architecture, accountancy or law. I do not want to comment except to say that it would be quite a difficult operation. However, he has raised an important matter.

Mr. Burnett: It is not a matter of controlling the professions, which I would strongly deprecate—I believe in the essential independence of the professions—but of a final recourse, a possibility of independent adjudication for individuals on matters such as conduct and costs.

Mr. Garnier: I am grateful for that clarification. No doubt we shall see more of it in the Liberal Democrat manifesto.

I am not a spokesman for or member of the Law Society, although I take an interest, both as the shadow Attorney-General and as a lawyer, in its activities and performance. Several hon. Members have given examples of Law Society members failing to meet the high standards expected of them. However, most solicitors, of whom there are about 80,000 practising in England and Wales, do a good job to a high standard. If that were not so, they would not be used. People would find other ways to deal with their legal or other disputes. I hope that we shall not fall into the trap of using one or two bad examples, perfectly properly mentioned by the hon. Member for Stoke-on-Trent, South, to criticise all lawyers.

Mr. Mitchell: I accept that the profession maintains high standards and that most solicitors—even barristers—are devoted to service and the pursuit of their clients' interests. The problem is that the public do not know that without some independent machinery of regulation and review to tell them what failures and successes have occurred.

Mr. Garnier: I am sure that that is right, but the Government will face the problem of expenditure. My suspicion is that the Government are critical of some of the things that the Law Society has done to improve its performance, but do not want to take on the financial burdens of running the show. I understand from a Law Society briefing that its programme to improve OSS service levels has entailed considerable extra expenditure. It is committed to ensuring that the OSS continues to be properly funded. An additional £10 million was spent between August 1999 and December 2000 on staff and facilities. The OSS's 2001 budget is about £10 million—nearly double the sum allocated in 1999 before the additional resources were agreed.

The Chancellor of the Exchequer and his girlfriend Prudence are keeping a close eye on all public expenditure. The Lord Chancellor's Department is not the highest spending Ministry, but I fear that Prudence would be worried if it took on yet further expenditure. I congratulate the Lord Chancellor's Department on recouping £2 million through charitable ticket sales for tours of the Lord Chancellor's official residence. However, I am not sure that Prudence, let alone the Chancellor of the Exchequer, would look kindly upon the Parliamentary Secretary's suggestion that the Department should spend an additional £10 million a year to run the OSS.

I look forward to hearing what the junior Minister has to say in response to the debate.

12.16 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I, too, congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on securing the debate. It has been highly intelligent and interesting, and a number of points of view have been forcibly expressed.

[Mr. David Lock]

I must identify the core problem at the outset. Complaints to the Office for the Supervision of Solicitors are running at a high rate: approximately one complaint for every five solicitors is made each year. Complaints are supposed to come to the OSS only if the firm's internal complaint system has considered them and has failed to resolve them; sole practitioners are an exception. I endorse the observation that the vast majority of solicitors are diligent and hard-working; in the public sector, they certainly deliver a high quality of service for a modest return. None the less, the clients of many solicitors are unhappy with the service that they receive and that is a significant problem.

It is in the nature of litigation that one side wins and the other loses, but quite often neither side believes that they have lost. It is therefore inevitable that people will sometimes receive less than they expected from the legal process. It is also inevitable that some will feel, rightly or wrongly, that their lawyers have let them down. The core problem that the Law Society must address is the number of complaints. It is important that the way in which services are provided, the expectations that are raised—or not raised—and the nature of what lawyers do should be explained. Everything that lawyers do should have a customer or client focus. Whatever we say about the ability of the legal profession to handle a proper complaints system, the remedy is to deliver a better service and thereby reduce the number of complaints.

I shall attempt to respond in detail to the points raised by hon. Members, but if I do not have the opportunity to do so in the short time left to me, I shall write to them. My hon. Friend the Member for Stoke-on-Trent, South diligently pursued his constituent's concerns in respect of the conduct of two firms of solicitors. I cannot comment on or intervene in individual cases. The Government's role is to act as the ultimate regulator. We have repeatedly made it clear to the Law Society and the Bar that self-regulation of the legal profession is a privilege, not a right. It is a privilege to be operated in the public interest, not in the interests of the people for whom it is regulating. As my hon. Friend said, the people who matter are the clients, not the suppliers.

The Office for the Supervision of Solicitors has power to investigate complaints made by clients in respect of their solicitors' conduct or service. It also has power to investigate complaints about the conduct of solicitors, but not complaints about efficiency made by non-clients. There is an inherent problem, which I must explain. I understand the depth of my hon. Friend's concern, but must point out that although lawyers are under obligations to act in accordance with the code of conduct, what the solicitor does to promote one client's interest is frequently adverse to the interests of the other parties to litigation. However, what goes on between a solicitor and a client is confidential.

Solicitors are under an obligation to work within the code of conduct, but can a non-client—another party to litigation—go behind the relationship between a solicitor and a client and question the efficiency, the business decisions or the competence of a solicitor in those circumstances? It is important that, if a non-client loses and subsequently becomes liable for costs, he should pay only the costs that are reasonably and properly incurred. However, a core problem arises if the complaints system is used by non-clients to open up the confidence between a solicitor and his client and to question the judgments and the decisions that are made, which, while they may be not good business decisions, were none the less proper in that they were not in breach of the code of conduct.

Mr. Stevenson: I understand what the Minister is saying, but the Office of the Legal Services Ombudsman accepted the complaint about company B. You know which solicitor I am talking about—

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. The Minister may know, but I do not.

Mr. Stevenson: I am sorry, Mr. Deputy Speaker. The code of conduct protected the firm of solicitors from any further action because it was deemed not to have been in breach of the code.

Mr. Lock: I am reluctant to go into the details of individual cases, but I assure my hon. Friend that the legal services ombudsman's job is primarily to determine whether the OSS has discharged its duties. It is possible, as in the case to which my hon. Friend referred, for the legal services ombudsman to respond to a complaint by telling the OSS that it has not investigated the case properly and in sufficient detail and that it must repeat its investigation and show either that the solicitor was in breach of his duties or that he was not. In the case to which my hon. Friend refers, that is precisely what the legal services ombudsman did. The ombudsman held the OSS at fault in respect of the thoroughness of its first investigation, but accepted that the second investigation had been carried out properly and that there was no breach of duty. To go further than that would be to intervene in the client-solicitor relationship.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell) expressed his well-known views forcibly and with good humour, as always. He has been a long-standing critic of the Law Society and of self-regulation. I appreciate the points that he makes and I know his views. We have differed on the appropriateness of maintaining self-regulation in respect of complaints, but he knows that the Government's determination to have a proper complaints procedure has led to our taking reserve powers. The exercise of those powers will be considered when the LSO's report is published in July this year. At that point, the question of whether the OSS is meeting the current targets will be primary in our consideration of whether to invoke the reserve powers.

On the statistics quoted, the figure of 6,000 for December 2000 was supposed to have been a combination of the cases that were unresolved with the OSS at that time plus the cases that had been returned from the legal services ombudsman and therefore required further determination. It should therefore have been the sum of all the live cases. If my hon. Friend the Member for Great Grimsby thinks that that is not right, and that the true figure was higher, I invite him to write to me and I shall take the matter up.

I acknowledge that the Law Society failed to meet in December the other targets to which it had signed up in July 1999. It is also true that, although considerable

investment has been made and the culture of the OSS has improved, since fresh targets were set at the turn of the year, the response to many of the key targets can only be described as disappointing. We are watching closely, and we will have to make difficult decisions.

As far as I am aware, the Law Society has not made strenuous representations to the Government to promote the interests of lawyers working in the areas to which my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) referred and to encourage us to increase capacity. In many of those areas—welfare benefits, debt and so on—the provision of cost-effective services does not necessarily entail services that are provided by a lawyer. It must be remembered that lawyers are not the only people who provide legal services—citizens advice bureaux, law centres and welfare rights units provide excellent services to his and my constituents in respect of welfare benefits, for example. They are often far more cost-effective and efficient than lawyers in dealing with such matters because they deal with them day in, day out. In addition, the issues involved often fall outside the expertise of the high street solicitor.

My hon. Friend is right to say that it is important that we maintain quality, and I am grateful for his comments about that. I appreciate his point about education, but we cannot fund every legal need in every circumstance. The powers in the Access to Justice Act give us, for the first time, the ability to prioritise between different legal needs. That exercise is being conducted locally through community legal service partnerships, which are identifying the primary legal needs in each area. Those needs will vary.

Mr. Fisher: My hon. Friend makes a powerful point about citizens advice bureaux. Stoke-on-Trent is lucky to have one of the most effective and powerful CABs in the country. Surely he would agree, however, that even the best CAB cannot pursue the detailed legal representation that is necessary in many such cases. Only a firm with a contract—and one with the expertise to meet the quality threshold, which, through the commission, the Government introduced—is likely to pursue the case properly on behalf of a needy constituent.

Mr. Lock: I agree entirely that to ensure quality provision we must maintain the footprint of contracted solicitors and those in the not-for-profit sector.

The hon. Member for Torridge and West Devon (Mr. Burnett) asked about lay members of the supervision committee. I understand that they were previously a minority, but the ratio is now approximately 50:50. In answer to the question of who chooses members, I believe that it is the Master of the Rolls. If I am wrong I shall write to him, but I think that the hon. and learned Member for Harborough (Mr. Garnier) was right about that. The hon. Member for Torridge and West Devon also asked about references to the LSO, and I shall write to him with precise details of case numbers. The LSO is not, of course, within the purview of this debate.

The hon. Gentleman referred to the importance of lay membership and the reform of the Law Society. One of the proposals that arose at the Law Society's general council meeting was resolution No. 2, which was a proposal to amend the rules of the Law Society to include 5 per cent. lay membership of the council. On 28 February, the council carried the proposal to have only 5 per cent. by only 37 votes to 25, and, lacking a two-thirds majority, therefore removed a lay element from the council of the Law Society. The entrenched view that only solicitors on the council of the Law Society have a proper view—

Mr. Deputy Speaker: Order. Time is up.

Renewable Energy (Wales)

12.30 pm

Mr. Simon Thomas (Ceredigion): I am pleased to have the opportunity to debate elements of the role of the Department of Trade and Industry in the planning consents process for renewable energy in Wales. I shall concentrate on the application of section 36 of the Electricity Act 1989, having proposed a Bill to amend that Act that is scheduled for Second Reading on Friday, and on a new DTI consultation on a proposed consents process for offshore wind or water driven generating stations in England and Wales.

I shall briefly explain how the planning process in Wales has changed and how the role of the DTI is different for renewable energy in Wales. Since its establishment, the National Assembly has become the primary body responsible for planning in Wales. Local authorities implement planning policy through powers provided in secondary legislation introduced by the National Assembly.

The Assembly is responsible for the overall guidelines. It requires local authorities to formulate unitary development plans that take into account the need to meet our renewables obligations in Wales, which are similar to those in England and to Kyoto and Government targets. The Assembly can call in planning issues and deals with appeals against planning decisions, although in effect they are dealt with by the planning inspectorate.

All those processes take into account representations from third parties as well as those from the developer and the local planning authority. Clearly the Assembly is now the strategic planning authority for Wales: it takes the national view, sets national priorities and guidelines for Wales and lets local authorities deal with purely local matters. It is important to recognise that the planning system in Wales is designed to serve communities in Wales, not protect private interests.

I understand that renewable developments, and especially renewable energy, in Wales are still guided by the planning guidelines of November 1996, which were introduced under the old Welsh Office. Local planning authorities are required to recognise the need for renewable energy and consider what contribution may be made to meeting such demand locally, regionally and nationally.

Wind farms, especially larger scale ones, involve an anomaly. Applications for those with a generating capacity of less than 50 MW are still dealt with by the local planning authority. The Assembly may call in such planning applications if it so wishes, and it seems to want to do so often. However, applications for schemes with a generating capacity in excess of 50 MW are still dealt with under section 36 of the 1989 Act, by the Department of Trade and Industry. That is clearly an anomaly in the planning system in Wales: the National Assembly is usually the strategic authority, but in cases of larger wind-scale developments, it is the DTI. That may be considered a rather unimportant anomaly, which will arise only occasionally. However, it has now arisen in my constituency.

The Cefn Croes application for a wind farm in Ceredigion, near Ponterwyd, is the largest application that has so far been submitted in England and Wales. It will have a combined capacity of some 58 MW or 59 MW. I believe that the application will be the first in Wales since devolution to be decided by the Minister at the DTI. I am not sure whether any of a similar size have been decided in England: the fact that it will be the largest in England and Wales suggests not.

An environmental impact assessment has already been made in relation to the planning application in Cefn Croes. Tremendous concern and unhappiness has been expressed locally about the fact that the DTI, not the National Assembly for Wales, will take the final decision on the application. If the local authority were to object to the application, even though it is not the deciding authority, that objection would automatically trigger a public inquiry by the DTI. An objection by another statutory consultee—such as the Countryside Council for Wales—could lead to a public inquiry if the DTI felt that that was fit.

I want the Minister to appreciate the great unease about the application in my constituency. As he might expect, I support such applications, although I reserve my judgment on the planning grounds of this one, because we have not yet seen the full details. Unease exists about the visual intrusion of such a large wind farm, the environmental impact and the need to balance national requirements and local contributions.

Ceredigion is probably one of the most advanced constituencies in terms of renewable energy in England and Wales. It produces more than 50 per cent. of its energy from renewable sources, including the Rheidol hydro-electric scheme. More than 30 per cent. of our energy comes from wind farms. Many would say that we contribute enough already and should not contribute more. I want to see Welsh needs taken into account: if that means that Ceredigion contributes a little more, that is all to the good. However, that contribution should be decided at the Welsh level. The current problem is that the DTI has the decision.

What will be the Minister's response? Will he take into account UK targets and needs, Welsh targets and needs or local targets and needs, which we have met several times over? That is one difficulty with section 36 of the 1989 Act, which my private Member's Bill would amend. I shall return to that matter, but I want to move on to the proposed consultation—

Mr. Nigel Evans (Ribble Valley): The hon. Gentleman represents one of the most beautiful parts of the United Kingdom, and he is right to say that Ceredigion already contributes more than its fair share in terms of renewable energy. Is not the important point that we listen carefully to the interests of local people? Clearly, wind power has an enormous contribution to make to renewable energy. However, the environmental impact of physical intrusion, environmental damage, noise and flicker—

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. The hon. Gentleman is getting carried away. He is making a speech, not an intervention. He should bring it to an end quickly.

Mr. Evans: Thank you, Mr. Deputy Speaker. The local people should have a greater say in the matter, but the environment must come first as far as physical intrusion is concerned.

Mr. Thomas: I agree substantially with the hon. Gentleman, but the issue of visual intrusion is

subjective. The environmental impact, however, is of utmost importance, as are the environmental benefits of the proposal. That is the difficult balancing act that must be performed. I would prefer the decision to be taken at the Welsh level by the National Assembly, in which the hon. Gentleman's party has an influence, not by the DTI in Westminster. That is the crucial point of my argument.

On the proposed consultation, which the DTI has produced for future offshore wind or water driven electricity stations in England and Wales, the surprising aspect of the proposal is that the DTI wants to go further. It is not content to decide, under section 36, on applications for projects of more than 50 MW. It now wants to decide on applications for projects in Wales of more than 1 MW. It would therefore be even more involved in the renewable energy debate in Wales.

The statement in the consultation paper is bold and bald—that a new process will be introduced in spring 2001 in line with the Government's aim of stimulating early development of a significant capacity in offshore wind farms. I do not know whether the Minister has an announcement to make on the matter. Rumours are rife that the first of those offshore wind farm developments will be announced shortly. Can the Minister comment on whether that development will be in Wales?

The fact that the consultation purports to include the National Assembly for Wales is a joke. It has yet to discuss the matter and the only consultation for Wales is a covering letter to the DTI's consultation. There has been a welcome move by the DTI to publish the consultation paper in Welsh as well as English, which acknowledges that aspect.

The DTI proposes to make all offshore wind and water powered generation subject to section 36 consents. Overall, the idea behind that proposal is very acceptable. There are two European directives that must be met when addressing renewable needs in Wales, and the hon. Member for Ribble Valley (Mr. Evans) referred to that obliquely. One directive is about environmental impact assessments and the other is the habitats directive. Currently, the proposals are not met fully by the consents process. I can see why that is the case.

However, there is an alternative way to meet the obligations, which does not involve a devolution clawback. As the Minister is a strong supporter of devolution, I hope that he will listen to my arguments and think again about his Department's proposals. Currently, applications of at least 50 MW must be decided under section 36. The proposal is that all applications of at least 1 MW will be decided by the DTI. How will the National Assembly for Wales meet Wales's strategic needs?

It is important to remember that the matter will not change the number of applications, or the number of hoops that developers must go through. The paper makes it clear that the system does not change the number of separate consents that are required. Instead, it should clarify matters with a developer at an earlier stage in the process, and make that process more streamlined and transparent. That is wonderful for civil servants and represents a wonderful piece of administrative tidying up, but it does not make the process in Wales more democratic. If Cefn Croes is anything to go by, more local planning authorities in Wales are likely to feel even more aggrieved that decisions have been taken away from Wales. They will appeal to the DTI for further public inquiries, so the Minister may have to deal with several dozen inquiries.

I do not know whether the Minister's Department was one of those that found the Wales Office to be only fair in its dealings between Westminster and Cardiff. I do not know whether that is a reason why his civil servants wished to take the power and tidy up the administration of the matters, and whether there is a lack of trust about potential actions of the National Assembly. I ask the Minister to reject his Department's proposals. Although there is not a written protocol between the Wales Office and Government Departments, we are waiting for a better understanding of how there will be legislative changes between Westminster and Cardiff.

The proposal document makes no mention of how a local planning authority will oppose the consents. Will it trigger a public inquiry, and how will the DTI deal with such inquiries?

A further worrying aspect of the proposals is the enticement in the document for developers to deal directly with the DTI about the offshore wind farm and thus bypass what I hoped would be a National Assembly responsibility. However, the onshore aspects of the offshore development, such as an onshore station that takes electricity from an offshore generator, would also bypass a local authority. The consultation document suggests:

> "The developer might however choose to seek deemed planning permission for the sub-station or other onshore development from DTI via section 90 of the Town and Country Planning Act 1990, at the same time as applying for consent under section 36...rather than submitting a separate application directly to the local planning authority."

It is not clear whether that would also be true in Wales because much of the Town and Country Planning Act 1990 is devolved to the National Assembly for Wales, or whether we are seeing one or two devolution clawbacks. I am worried that there has been too much administrative tidying up for the convenience of civil servants, and insufficient democratic accountability for the convenience and transparency of local decision making.

I shall give the Minister an alternative arrangement that meets his Department's objectives and would allow the National Assembly for Wales to develop its full potential as the strategic planning body in Wales and have the overview of renewable energy in Wales. First, we should rip up the document. Secondly, section 36 consents must be given over to the National Assembly for Wales to allow the hon. Gentleman to wash his hands of the need to decide the larger generating station consents at Whitehall level. As the National Assembly is already dealing with the habitats directive and European impact assessment directives through its secondary legislation in other contexts, surely it can deal with them in the context of large scale and offshore developments, too. There would, of course, need to be strong liaison between the Department and the Assembly. However, the document is not the way forward.

In my constituency, as well as the Cefn Croes applications, there are two special conservation areas to which the habitats directive applies offshore from

[Mr. Thomas]

Ceredigion. One is Cardigan bay. The other is the special area of conservation known as Penllyn ar Sarnau, which includes the constituency of my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd) and that of my right hon. Friend the Member for Caernarfon (Mr. Wigley). It reaches down to the northern part of my constituency. Cardigan bay is a special area and any offshore developments in that area may be opposed in a similar way that oil exploration has been opposed in the past. If any development is to happen in that area, I want it to be decided at a Welsh level as much as possible, not by the Department of the Environment, Transport and the Regions.

The Minister has been one of the most ardent advocates of devolution in Wales and many of us are grateful for the way in which he has taken his party forward for devolution. He is the last person who would behave like a colonial governor in Wales, deciding matters for Wales from the Department of Trade and Industry. The recent overnight decision by the Department of the Environment, Transport and the Regions to allow the planting of three genetically modified crop sites in Wales with no consultation with Members of the National Assembly, no consultation with local Members of Parliament and no consultation with spokespeople in this House who have responsibility for their parties' environmental portfolios—I include myself in that group—has put in disarray the National Assembly's proposals for a GM-free environment in Wales. That is what happens when London decides such issues. I am sure that the Minister does not want to be party to such decision making. I invite him to reject the document and to propose a new set of planning consents that works with the National Assembly and will give more power to the National Assembly rather than taking power away from it.

12.47 pm

The Minister for Energy and Competitiveness in Europe (Mr. Peter Hain): I congratulate the hon. Member for Ceredigion (Mr. Thomas) on securing the debate and welcome his interest and expertise in renewable energy, which is welcome in the House. As we tackle climate change, that is of crucial importance. I am aware that he tabled a private Member's Bill on 28 March proposing that the Electricity Act 1989 be amended, so that the National Assembly for Wales can handle the granting of section 36 consents for power stations in Wales.

The hon. Gentleman has raised directly with the Prime Minister his worry about the proposed onshore wind farm in his constituency at Cefn Croes. I agree that Cardigan bay is beautiful. If Neath had a bay of equivalent beauty, I might be a rival. It is unquestionably beautiful and no one would want to see it harmed or injured. As the hon. Gentleman knows, I am a strong believer in devolution. By background and temperament, no one in the House is less likely to behave as a colonial governor than I. The last such person to do so was the current Leader of the Opposition and it is good that he is no longer in that position.

I am an enthusiast for renewable energy, Mr. Winterton, as is the Prime Minister whose recent—

Mr. Deputy Speaker: Order. I am fortunate now to have the title of Deputy Speaker.

Mr. Hain: I apologise, Mr. Deputy Speaker. It is a very worthy title for you, in particular.

The Prime Minister is also an enthusiast for renewable energy. His recent speech covered the better use of energy by business, the development of low carbon technologies, our renewables obligation—which is a powerful driver—programmes to cut emissions in the transport sector and the promotion of much greater energy efficiency in the domestic sector. The hon. Member for Ceredigion asked about imminent announcements. I am pleased to inform the House that we expect the Crown Estate Commissioners to announce the results of the first offshore wind farm site pre-qualification round tomorrow. They will give the names of wind farm developers who have successfully obtained site leases on the sea bed for the development of offshore wind farms right around Britain, including Wales. That marks a major step forward for renewables, and is very important news. The response to the Crown Estate's competition for site leases has been very positive. Tomorrow's announcement will represent a significant addition to our renewables capacity. Developers are responding to the Government's green signal, which I want to make loud and clear.

Planning policy for England and Wales gives local planning authorities guidance on a range of issues that affect the siting of all renewable energy projects. The key issue for local authorities, when assessing applications for planning permission—including all the examples that the hon. Gentleman gave—is to take account of renewable energy projects' impact on the local environment and their wider contribution to reducing emissions of greenhouse gases.

Last year, the Government announced a more strategic approach to planning for renewable energy in England, from regional level downwards. Under that, regions are to carry out, or update, assessments for renewables, from which regional targets for renewables generation can be agreed. The point of such studies is to achieve local consensus on the siting of future renewable energy projects. No specific separate targets have yet been drafted for Wales, but an assessment of the potential for renewable energy developments in Wales has been undertaken. That report is currently being finalised. Once studies are complete, the Department will publish a British overview, taking into account the assumptions made in individual studies.

To make successful progress, we need to get local stakeholders signed up and make a realistic assessment of the capacity for each part of Britain, including Wales, to generate electricity from renewable sources instead of simply imposing the United Kingdom target at regional level—or, in the case of Wales, at national level. I favour a bottom-up approach, which I am sure that the hon. Gentleman will welcome. The recent announcement on locational flexibility for the non-fossil fuel obligation will also free up projects that have failed to secure planning consent for the sites in their original NFFO applications. That will boost renewables further.

We must all work together. The hon. Gentleman put his points in a rather simplistic fashion, if I may say so. Any decision, on any location, taken by the local planning authority, the National Assembly for Wales, or the Department of Trade and Industry will take account of all relevant factors. Those will vary in each case, but will include Government policy, or, in Wales, Assembly guidance, together with published planning guidance, covering not only energy, but the countryside, nature conservation, local plans, environmental assessments and the views expressed on an application. There is no prospect, especially under the current Minister, of the interests of Wales, or any part of Wales, being ignored. There will be full local consultation and consultation with the Assembly.

I am aware of the application concerning Cefn Croes, but because of the quasi-judicial role of DTI Ministers in determining the application, it would not be appropriate for me to comment on its merits or drawbacks. I understand that it has aroused strong feelings, but opinion is divided. We have received more than 200 written objections, but also more than 80 letters of support. We are currently awaiting the views of the local planning authority, Ceredigion county council, the Ministry of Defence—it is a tactical training area—and the National Assembly for Wales. No decision will be made until those have been taken into account. Until the Secretary of State receives that advice, he cannot take a decision on the application or call a public inquiry.

When considering applications for power stations over 50 MW, the Secretary of State for Trade and Industry, under section 36 of the 1989 Act, examines proposals on a case-by-case basis, taking a decision on the merits of each. He takes into account environmental impact and the views of the local community, local planning authority, individuals and local MPs. He considers the advice of statutory bodies such as the Environment Agency, the relevant countryside and nature conservation bodies, heritage bodies and, in the case of Wales, the National Assembly for Wales. Clearly, he considers the views of the developer and of any party who writes to him about the application.

In answer to one of the hon. Gentleman's questions, if the local planning authority objects to an application, the Secretary of State is obliged to arrange a public inquiry. Even if the local authority does not object, the Secretary of State has the discretionary power to hold a public inquiry if deemed appropriate in the light of any other objections and/or any other material considerations particular to the case.

I hope that the hon. Gentleman will recognise that this is a comprehensive process in which the local planning authority has a key role to play—from its familiarity with the local environment to its ability to object and thereby force a public inquiry—and through which the public can have their say. The hon. Gentleman referred to our recently launched consultation exercise on the consents process for offshore wind farms. It proposed that, instead of the current fragmented system, the DTI act as a one-stop shop, receiving, and co-ordinating the administration of, proposals for offshore wind farms in England and Wales. It also proposed that the DTI become, in effect, the planning authority for smaller offshore wind farms—those at or below 50 MW—given that, in general, the local planning regime does not extend offshore.

However, with my specific encouragement the National Assembly for Wales is conducting its own consultation on the proposal, including the translation into Welsh to which the hon. Gentleman referred, which will ensure that Welsh interests are taken fully into account. The Assembly will also seek views on the role that it might play in the consents process for applications in Welsh territorial waters. Responses are sought by 23 April, and I shall consider carefully all the views expressed, including those of the hon. Gentleman should he wish to write to me.

Reflecting the combined electricity grid and market in England and Wales, the DTI currently determines any planning application for a power station of more than 50 MW. That is not an anomaly. There is an integrated market for electricity and distribution across England and Wales, and Wales benefits from that. If there were some form of Offa's dyke in terms of electricity supply, Wales would be very vulnerable. I hope that all hon. Members can see the clear advantages of a single planning authority that allows strategic decisions to be taken across the entire electricity market. One cannot consider electricity generation, supply and distribution in a nationalistic way—if I may put that to the hon. Gentleman—but I will listen carefully to any views expressed by the Assembly. In the meantime, I am determined to work closely with it. I have been in touch with its Environment Minister, Sue Essex, about the specific issue of offshore wind farm consents, and I have listened to her arguments about process and procedure, to which I am personally sympathetic.

The way to move forward together successfully was clearly demonstrated during the stricter consents policy. Despite a general presumption against further gas-fired power stations, recognition was given to the particular circumstances surrounding two projects in Wales: Baglan energy park in south Wales and Rhosgoch in Anglesey. The decision on Baglan bay recognised the importance of General Electric's advanced gas-fired power station technology, and the difficult employment circumstances in the Neath-Port Talbot area. The decision on Rhosgoch recognised both an energy policy benefit and the particular circumstances prevailing in Anglesey.

The Government are therefore listening to Wales, and Wales has benefited. We will continue to work closely with the Assembly on applications for wind farms in Wales, whether onshore or offshore. I should point out, however, that that is a general statement and does not refer to any application or to many of the arguments that the hon. Gentleman has advanced. As a fellow enthusiast for renewables, I am sure that he will agree with me on that point.

There is another contagious disease spreading throughout Britain at the moment: an attitude of nimbyism towards applications for offshore, onshore or almost any kind of renewable generation in one's own back yard. People are in favour of clean energy and green energy, and are enormously in favour of renewables, but seem to have a blind spot when such proposals come anywhere near them. People in Wales and elsewhere have to confront that stark truth. Most people do not want a nuclear power station in their back

[Mr. Hain]

yard and are not enthusiastic about having coal-fired or gas-fired generators there either. The alternative is renewable energy. It is important to support wind farms in Wales and elsewhere—although not on the basis that they can spread anywhere that they choose, with every development given the green light. We intend to accelerate the development of renewables.

Mr. Deputy Speaker: Order. Time is up.

Entry Applications

1 pm

Fiona Mactaggart (Slough): I am pleased to have been able to secure this debate about a long-standing injustice that can and should be rectified by a Government who are committed to social justice and the family.

My concern is with children who were refused permission to join their parents settled in the United Kingdom because a visa officer decided that they were not "related as claimed". That was assessed through detailed questioning and asking for documents that did not exist in the Sylheti villages that most of the children came from. Many of the decisions were proved to be wrong. In the early 1980s, when I was director of the Joint Council for the Welfare of Immigrants, appeals were successful in some 30 per cent. of cases. Others did not win, yet could later prove through DNA tests, which were not invented until the 1980s, that they definitely were related as claimed. By then, the children were over 18 and did not fit into the immigration rules by which they could join their parents, so they have remained separated ever since, and are still being refused after losing appeals.

That cannot be right. The children had a right to be here. The British authorities made a mistake, and the children have been refused any redress for that mistake. The courts decided, in a case called Miah and Askar, that it was not an error, but a lack of evidence, so there is no redress. Anyone who is not a lawyer, pace the Minister, can see that that is wrong. People were refused on a basis that has been proved to be wrong. They suffered an injustice that the Government have the power to rectify, even decades later. The injustice continues for many of the families. There are elderly people here who need their children to care for them in old age, yet they are kept out and cannot even visit their parents because they expressed an intention to settle in the past. Often, those elderly parents are too poorly to travel to them on the subcontinent.

When the Labour party was in opposition, we said that we would deal with this injustice. In 1992, the spokesman on immigration, who is now the Secretary of State for Social Security, said:

> "If an error is made by the Home Office and an applicant was denied his or her right to come to the UK through a relationship, then if a DNA test subsequently proved that the claim was well founded then that claim will be accepted."

I urge that we now honour that commitment.

Not all the people who applied and were wrongly refused will still want to come here. Some have formed their own families by marrying and having children or have work commitments in the country where they live and are well settled there. But others have not. They continue to apply and to be refused, and are caught in a state of limbo without any way of sorting out their lives.

The biggest barrier to making the right decision on this matter is the sense that we might be giving an open-ended commitment on future immigration that would create significant numbers of applicants. A letter from the Home Secretary contained the claim that the figure could be between 20,000 and 40,000. I venture to suggest that that number is ludicrous, because it appears to represent every single child from Bangladesh who was ever refused. No one has ever suggested that all the refusals were wrong.

Why do I focus on Bangladesh? I do so because the problem is largely confined to that country. No one that I can find knows of anyone who suffers from this injustice and comes from any other country. I should like to know whether the Minister is aware of any other cases, and if he is, whether there are more than 15 or 20. There were some wrong refusals of that kind in Pakistan, but those kept out have generally made their lives in Pakistan, or have come to the UK through the tradition of cousin marriages in the Pakistani community.

I pay tribute to the justice for over-aged applicants campaign. It has not won anything, but it has kept going for 20 years. It should be admired for its dogged persistence on behalf of victims of that injustice. It believes that less than 1,000 people would qualify. Its evidence is that when the Conservative Government announced a limited concession in 1989—four years after DNA testing was invented—only 550 people applied, of which 115 were successful. More recently, the Government ran a big publicity campaign in the UK Bangladeshi community that urged people affected to contact them. Only 100 such people did so, and many of those had applied and been refused under the 1989 concession.

Ten years on, it is unlikely that people who tried then would do so now. It would mean uprooting themselves, and any new family that they have formed overseas, to join parents from which they were wrongly kept apart. It is even less likely that anyone who had not tried to access his or her rights in the 15 years since the invention of DNA testing would consider migrating. Under current immigration laws, applicants who have married in the meantime would have to show that they could support and accommodate their spouse and children without recourse to public funds. In my view, it would be wrong in terms of the commitment and numbers to include them in an estimate of the consequence of introducing a fair and just policy.

I urge the Home Office to announce a new and final concession that would apply to people who were refused as children on relationship grounds, who still have a parent settled in the UK and who have proved their relationship through DNA testing. The first step should be to provide an opportunity for them to register their case within a given period, which would follow a long tradition within immigration law. Indeed, there is a similar requirement in the Immigration and Asylum Act 1999. The burden of proof of being the relevant individual and of having applied in the past should be on the applicant, but records of applications at the British high commission or the Home Office should be conclusive, as should original documents and authorised DNA tests in the possession of applicants.

If the Home Office believes that numbers are an issue, it would be possible to impose a quota on the number of people allowed entry. It has apparently been argued that there is no precedent for a quota in British migration law. As the Minister and I know from working together in the early 1980s, that is not true. In those years there was—indeed, there still is—a quota for United Kingdom passport holders, who are British nationals who are not British citizens. Since the early 1970s, there has been a national quota of 5,000 per year that is not fully used. In 1999, only 330 of that quota were admitted for settlement, so there is plenty of space. If, as expected, only a few hundred people in the category that I am discussing apply, their applications could be dealt with in a shorter period.

Such a change would not greatly increase the administrative work to be done in high commissions. Dhaka keeps detailed records and checks them in relation to visitors and other applicants to see whether people have family who have come here in the past. Its historical records are extensive and it dealt with 18,000 visa applications in 1999, so a cohort of such people would not add substantially to the work load.

Rectifying the injustice is the right thing to do. Some people were wrongly refused entry due to the type of questioning and the inappropriate standard of evidence demanded, so we should now carry out the commitment that we made in the past to allow their evidence to be used. I hope that the Minister can confirm that the Department is not aware of a great number of cases from countries other than Bangladesh. If he can, I hope that he will agree to meet me and other hon. Members to discuss how we might create a system that would have a chance of dealing with the injustice, rather than taking the ostrich view—burying our heads in the sand and hoping that the problem will go away. As policymakers, we may believe that the problem is disappearing, but for the families who are permanently kept apart by this unfair rule, it will not go away. We have a duty to those families; we made a commitment to them in 1972 and now is the time to honour it.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Before I call the hon. Member for Bethnal Green and Bow (Ms King), I advise the Chamber that she has sought my permission, that of the initiator of the debate and that of the Minister to participate in our half-hour Adjournment debate.

1.11 pm

Ms Oona King (Bethnal Green and Bow): I congratulate my hon. Friend the Member for Slough (Fiona Mactaggart) on securing a debate on an issue that I have raised continuously since I was elected. Although, according to the Department of the Environment, Transport and the Regions, I represent the most deprived area in Britain, and have seen many cases of injustice, few have seemed as grave as the ones under discussion. They include the cases of young teenage boys and girls who were refused entry clearance to join their families because the entry clearance officers in Dhaka, New Delhi or Islamabad were not satisfied that they were "related as claimed." That injustice is bad enough, but it was compounded by the failure to correct it once proof of the children's identity was available. The entry clearance officers made a mistake. We all make mistakes, but few have consequences as grave as that.

The advent of DNA testing in 1987 gave us the opportunity to rectify such mistakes, and enabled those under 18 to submit successful applications for entry clearance to join their families in the UK. For others, however, the mistake has ruined their lives and they have had no opportunity to see it rectified. Many of those wrongly refused in the 1970s were teenagers, so by 1987 they were in their mid or late 20s and therefore could not benefit from the new DNA tests because they were no longer dependants. Why were they no longer dependants? Because the Home Office had taken 20 years to recognise their claim.

[Ms Oona King]

Following a public campaign, the Home Secretary introduced a concession to the immigration rules in June 1989, which allowed those who had had DNA tests proving that they were "related as claimed" to enter the UK if they could show compelling and compassionate circumstances. That was welcome because it allowed a small number of children to be reunited with their families.

Many more families remain divided and I would like to give the Minister some examples in my constituency. Joytun Bibi is a mother who has seen her son, Nizam Uddin, three times in 24 years. Mehrun Nessa has seen her son, Iqbal Hussain, twice in 17 years. Shoznoo Bibi has seen her son, Ataur Rahman, four times in 20 years. Rois Miah has seen his sons, Aftab and Moklis, only on half a dozen occasions since they were refused entry clearance in 1972. Many of those mothers and fathers are now elderly and frail. For example, Mehrun has arthritis and recently suffered a stroke that left her unable to walk; she is too ill to travel, and knows that unless the Home Office reconsiders, she will never see her son again.

I am not a parent, but the Minister is, and it should not require too much imagination—even for people who are not parents—to understand the desperate sorrow and anguish that this woman must be suffering.

The Home Secretary met the justice for over-aged children campaign, of which I am the chair, in November 1998. I was grateful that my right hon. Friend carefully considered the issues that we raised, but I was disappointed that his final decision was not to relax the concession. He said that he was concerned about the possibility of large numbers of potential reapplicants that might arise under a relaxed concession. I was initially quoted a figure of 60,000. If that were true, the Home Secretary would have been right to be concerned, but I can assure the Minister that that figure is mythical. I am not sure where it came from, but we cannot accept it.

My hon. Friend the Member for Slough went into the figures in detail, so I shall not repeat them. However, a further indication of the actual numbers can be gleaned from the fact that in 1991 only 550 cases had been considered under the concession, of which only 115 were conceded. The Home Office argues that there might be many thousands more because only those eligible would have applied, but that is not borne out because 80 per cent. of those who applied under the concession were rejected. More important, it is not borne out by anyone with even a passing knowledge of people who may have spent the last 20 years separated from their child. Those parents were overjoyed when they first heard about the concession, especially regarding compelling and compassionate circumstances. What could be more compelling and compassionate than being wrongly separated from one's child or parents by an arbitrary decision that one is "not related as claimed"? The numbers involved are minimal and would certainly be fewer than those rightly benefiting from other concessions introduced by the Government.

The 1989 Commission for Racial Equality report on immigration control and procedures records that 90 per cent. of those refused on the grounds of not being related as claimed were subsequently able to establish their relationship through DNA testing. I cannot believe that the British Government and Home Office could hide behind a mistake when it is now possible to put it right. So much has been put right in the immigration service and it is right to congratulate the Government on achieving that. Nowhere is the new professionalism in the immigration service more evident than at the British high commission in Dhaka. With the odd exception, arbitrary refusal is a thing of the past.

The campaign acknowledges that an over-aged reapplicant will have to show how he or she will be maintained in UK accommodation without recourse to public funds. That is right and proper, but I sincerely and genuinely urge the Minister to examine the proposals outlined by my hon. Friend the Member for Slough and supported by myself. I give the last word to my constituent, Joytun Bibi, who said:

> "They made me make a choice between my eldest son, and the rest of my family... The immigration officers told me that Nizam wasn't mine, and even when I proved that he was they still wouldn't let him in. Not a single day goes by when I don't think of Nizam... Please let Nizam and the others in and let all us mothers be reunited with the children we were forced to leave behind."

1.19 pm

The Minister of State, Home Office (Mr. Paul Boateng): This has been an important debate, in which my hon. Friends the Members for Slough (Fiona Mactaggart) and for Bethnal Green and Bow (Ms King) have made significant contributions based on their constituency experience. In the case of my hon. Friend the Member for Slough, considerable professional experience of these issues at the highest level is also involved.

The right to family life is guaranteed by article 8 of the European convention on human rights, which has been incorporated into United Kingdom law in the Human Rights Act 1998 introduced by this Government.

It is always important to recognise the significance and value of family life and the undoubted wrench that patterns of migration and settlement can involve when parents are separated from their children for however short a time. It has long been the thrust of our policy in respecting family life and the rights incorporated in the convention to seek to reunite families where relatives are settled here. In the vast majority of cases "family member" is held to mean spouses and the children of persons settled here, although in exceptional circumstances the definition can be extended to other dependent relatives.

The closeness of the connection by blood and the level of dependency must be the determining factors. Dependency will vary in accordance with age when there is a relationship between a parent and child. There must be a cut-off point. The cut-off point that we have arrived at in our law is 18, when childhood is said to end and adulthood to begin. Our immigration law and rules reflect that. Not only must they have enshrined within them the proper strictures of the convention, but they must be capable of being defined in such a way as to demonstrate the essential characteristics of good law: clarity and finality.

Those considerations must be in the forefront of the minds of those who have a responsibility, as we do in the House, to legislate, whether in primary or secondary legislation. It is important that we get the balance right in immigration law. At the heart of our approach is the requirement of both fairness and firmness. My right hon. Friend the Home Secretary, in responding to representations of the sort that we have heard in Westminster Hall today, must always bear in mind the need for that balance.

Ms Oona King: Given that the Home Secretary previously said that he was not able to reconsider the matter because of the numbers involved, would my right hon. Friend agree to a meeting with the MPs concerned if we can show that these numbers have been substantially exaggerated?

Mr. Boateng: I am coming to that in my own inimitable way. It may not be as fast as my hon. Friend would wish. I will get there.

The balance is one that my right hon. Friend the Home Secretary has striven in this area, as in every other area, to achieve. My hon. Friend the Member for Slough was good enough to pay tribute to the way in which the Government have sought to get the balance right. That has been in no small measure due to the determination of my right hon. Friend the Home Secretary to do so and the diligence of the Minister of State, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche). They ensured that the improvement at the point of application in the subcontinent, to which my hon. Friend the Member for Bethnal Green and Bow referred, was implemented.

A forceful case has been made over the years by the campaign for justice for over-aged children, and the stories outlined by my hon. Friend the Member for Bethnal Green and Bow get to the heart of the importance of family relationships. I can understand the passion and commitment that inspires those who started the campaign. We are always prepared to give such campaigns a fair hearing in trying to get the balance right.

An issue has arisen about the accuracy of the estimates that were made at a meeting between the Home Secretary and members of the campaign. We are ready at any time to receive representations to help us to estimate the scale of the problem and to determine how many might want to avail themselves of a concession such as that outlined by my hon. Friend the Member for Slough. She put much thought into its development and the framework within which it might be contained. I undertake carefully to consider her suggestion and to examine the statistics and test them against our estimates; we shall thus arrive at a conclusion on the basis of the best available evidence.

We are determined to get this important issue right. A concession has been made in the past; it is not without significance that in the last year no one made use of it, which raises a number of issues about the demand, or potential demand for any concession.

We need to get things right and to examine the evidence. My hon. Friend took great care in fashioning her proposal, and I give her and my hon. Friend the Member for Bethnal Green and Bow an undertaking to give it the consideration that it is due. At the end of the day, it will be a matter of finality and of clarity—two vital aspects of the law in this, as in every other matter—and of getting the balance right. We will be informed by our respect for family life, our convention responsibilities and the need for firm but fair immigration law.

Mr. Deputy Speaker: I thank the Minister for his reply. We can now move on a few seconds early to the last debate in Westminster Hall today.

Local Government Finance (Harborough)

1.29 pm

Mr. Edward Garnier (Harborough): I thank the Speaker for granting the debate, which is on an important subject for my constituents, and the Under-Secretary, the hon. Member for Stretford and Urmston (Ms Hughes), for coming to Westminster Hall to respond on behalf of the Government. Local government finance is an intensely complicated subject, and many Ministers have spent years in her Department and its predecessors without ever reaching a full understanding of it. I am sure that the hon. Lady is not in that category, but let me tell her something about the two local authorities in Harborough and explain why the debate is so important.

There are two local authorities in my constituency, excluding Leicestershire county council. Oadby and Wigston borough council is geographically small but has an electorate of about 40,000 and, obviously, a larger population. It covers the part of south-east Leicestershire that is closest to the city of Leicester, and consists of Oadby, a settlement of medieval origins, and South Wigston, which grew with the expansion of the canals and railways during the 19th century and housed the regimental headquarters of the Royal Leicestershire Regiment, the Tigers. Between those two places are Wigston Magna and Wigston Fields, which are also settlements of some antiquity and are on the routes of the old sheep and cattle droves to Leicester livestock market, which is now a multiscreen cinema and supermarket complex. I suppose that, nowadays, that is called progress.

The borough is now mostly residential but there are some factories, which are mostly, although not exclusively, related to food preparation, light engineering and textiles. We have in the borough Leicester race course, as well as the Leicester university botanical gardens and many student halls of residence. There are also a few farms.

Harborough district council covers the largest area of any Leicestershire district council—the whole of south and east Leicestershire—and has a population somewhat larger than that of the borough. Based on the ancient town of Market Harborough, it is made up of some of the finest grazing land in the country and, so far, it is thankfully free of foot and mouth, although it is designated as an at risk area because of cases confirmed to our north, south and west. It contains many small villages, rural settlements and farms, and rolling countryside of equal beauty to the fells and dales of the north. If I may say so, it is an undiscovered gem.

We are a largely contented but not complacent part of the world, with low unemployment, good schools and access to fine hospitals. The Government cannot claim credit for any of that—that position has obtained for many years. However, my two local authorities share an ever-increasing burden of Government-imposed targets and strategies, which are eating into their small revenue budgets, taking up and extending the already full working day of local government officers, and diminishing the level of public service that the dedicated and hard-working officers want and are able to provide to my constituents. Oadby and Wigston council has a general revenue fund budget for 2001-02 of £4,978,000, and Harborough council's net revenue budget is £6.3 million. In financial terms, both are small authorities.

We were not at all pleased when, in 1999, the Department of the Environment, Transport and the Regions subtracted nearly 1,000 citizens from the population of Oadby and Wigston, with a consequent reduction in its standard spending assessment, a loss of about £65,000 in revenue, a reduction in service provision and an increase in council tax.

I refer the Minister to a letter that was written by the director of resources, Alan White, to Mr. Lambirth of her Department on 21 January 2001, in which he outlines some problems that arose as a result of that arbitrary subtraction of population. He wrote:

"The loss of Aggregate External Finance resulting from this population factor is equivalent to a Council Tax increase of around 3.5 per cent. The problem this creates is illustrated by considering the marginal cash increase of £14,000 in AEF against the costs of best value audit and inspection which alone will add between £40,000 and £50,000 to the Council's budget ... In considering the Council's ability to manage its financial resources against its service costs, it is important to note that all our major services are already externalised, with only the Highways DLO (which is expected to make a profit) provided in-house."

He mentioned the external contracts for grounds maintenance, leisure centre and swimming pool management, refuse collection and street cleansing, which are now all privatised. He reminded the Department that that did not leave much room for manoeuvre on the costs of those services, although they were trying to renegotiate in some areas. He went on to say:

"Additionally the now somewhat mixed blessing of being one of the handful of Councils to win a Millennium fund bid, will result in the revenue costs of the project which come on stream in 2000/01 adding a Council Tax equivalent of 2.3 per cent. to the budget. We will also suffer from the exhaustion of the Collection Fund surplus (Council Tax increase equivalent 3.3 per cent.) an issue we are pleased to see is recognised in your letter.

This all adds up to a situation where even after elimination of avoidable growth, significant real terms pruning of existing expenditure and an unrepeatable subvention from balances we will struggle to achieve a Council Tax increase below 10 per cent.—it should really be double this figure."

Mr. White said that the council was non-confrontational and was not deliberately ignoring the content of advice from the Department. He said:

"Indeed it may well be that the relatively small percentage rise in budget requirement (around 4 per cent.) which the measures outlined in the previous paragraph will achieve will be sufficient to convince the Secretary of State of our good intent, but we do have a problem. We intend to use the next twelve months to try to produce strategies designed to address the underlying under-funding of our budget but in the meantime would be bitterly disappointed not to receive the sympathetic understanding of the Secretary of State. More tangible help relating to the nonsense of our population estimate would be even more gratefully received."

There appears to be a somewhat sanguine acceptance at the DETR that there are winners and losers in the game of local government finance, but it pays scant regard to the practical consequences, which can be quite dramatic for small authorities. For Oadby and Wigston, £65,000 is a significant sum. It is not acceptable to visit those consequences on the council without giving it a chance to plan in advance how best to accommodate the loss.

It gets worse. Best value is no doubt a wonderful concept. To be fair to the Government and so as not to misrepresent my local authorities' concerns, I must point out that both Harborough and Oadby and Wigston have been prepared to accept that there is room for improvement in the administration and delivery of public services by local councils. They were by no means antipathetic to the introduction of the best value scheme. The chief executive of Harborough, Mr. Michael Wilson, tells me that his authority has

"embraced the Modernisation Agenda with enthusiasm"

and that it believes that many of the initiatives set out in it are well focused and deserve adequate funding to ensure their effective implementation. Harborough council has been resourceful and innovative in coming to grips with them, especially in partnership with other small authorities in the Welland partnership and with the assistance of Deloitte & Touche. It is, for example, reviewing the asset base with a view to enhancing income generation. I assume that that is accountancy-speak for car parking charges in rural market towns or charging 50p to spend a penny—increased charges for use of public lavatories. However, legislative demands are being made of Harborough council without adequate resources being made available.

Best value has, however, become a monster, entailing more bureaucracy and escalating costs. The audit cost for Oadby and Wigston in 1998-99 was only £39,000. It will be £60,000 more in 2001-02. Thanks to best value, the total may be as high as £118,000. For Harborough, the total cost of the auditing exercise will be £65,000 for the basic audit, between £15,000 and £20,000 for the audit of the rent subsidy scheme and a further £20,000 for the best value audit. Oadby and Wigston's director of resources estimates that its overall cost—which includes the effort put in by existing staff who are diverting productive time to this increasingly process-driven system—must be about £160,000 a year.

The practical benefits are minimal, and there is a feeling that officers are being required by central Government to spend their time ticking boxes on forms instead of doing the job that they came into local government to do. There is a team of three in Oadby and Wigston trying to cope with best value, and it has a 1.5 in thick lever arch file of instructions from the Government on how to apply it. Now, as though things were not difficult enough, the best value unit has poached one of the borough's assistant directors to go and work for it—no doubt on a better salary and for a shorter working week.

Best value is in danger of becoming, if it has not reached that stage already, a missed opportunity of major proportions and a serious waste of local government resources and taxpayers' money. The resources now absorbed by writing about work, rather than doing it, cannot be justified. The volume of resources wasted on strategy production is now so great that it impacts on the levels of service that the borough can provide.

Everyone believes in sensible business planning, but smaller councils such as Oadby and Wigston borough council and Harborough district council are able to comprehend entire areas of activity without great difficulty, and without the complex written plans that authorities such as Birmingham or Manchester might require. Therefore, the "one size fits all" policy is counter-productive. The Government appear to believe that strategies are tangible achievements, whereas most sensible people realise that that is not the case.

The Government seem to be more concerned about control than production—I hope that I will not be accused of cynicism for saying that. Oadby and Wigston borough council is required to produce a range of strategies and implement many new regimes: a contaminated land strategy; a local Agenda 21 strategy; an air quality strategy; an asset management plan; a capital strategy; a crime and disorder disruption strategy that has spawned six action groups; resource accounting for housing; best value accounting; a community plan; a benefits verification framework; a strategy for e-government; a policy and action plan under race relations legislation; new political arrangements that the Government's reforms of local government require; local strategies based on local management needs; performance indicators; policies under the Human Rights Act; and enormous and costly, and not very welcome or well attended, areas of consultation.

The auditing of local government is no longer intended merely to ensure probity or value for money. Now, auditors and inspectors often arrive at a local authority armed with a Government agenda to reduce its funding or to pillory its performance. The housing or council tax benefit systems provide a good example of that. The auditors are, in effect, instructed by the Department of Social Security. They decide how much work is required, and the authority has to pay whatever they charge. That has resulted in massive costs for small authorities such as those in my constituency. The auditors seek to reduce the council's grant claim by uncovering technical failures or omissions. The benefit schemes are now so complex that they cannot be perfectly administered, and innocent technical errors by clerical workers can result in massive financial penalties. Fortunately, that has not yet happened to either of the two authorities in my constituency, but it could easily occur. Bridgnorth district council has lost £2 million as a result of such clerical mistakes, and many others have also lost large sums. The beneficiaries of that are the Government, rather than my constituents.

The benefit fraud inspectorate has yet to visit Oadby and Wigston, but the director of resources predicts that, when it does pay a visit, it will issue a critical report, despite the fact that his council aggressively pursues and prosecutes fraud offences. His bleak prediction is based on his observation that the inspectorate never issues a good, or even an encouraging, report. The sclerotic effect of that hinders not only the officers of the council, but the work of the councillors themselves, and I will shortly explain why that is the case.

I have in my possession an internal report on staffing at Oadby and Wigston council. It lists the staffing consequences of several of the targets and strategies that have been imposed on the council by the Government. Oadby and Wigston borough council and Harborough district council do not have any spare staff. Therefore, many officers, such as housing officers, are having to work outside the areas of their immediate responsibility, and the chief executives of both authorities are doing the work of six people.

[Mr. Edward Garnier]

The increasing burdens are having a terrible effect on staff morale in both authorities. In Oadby and Wigston, responsibility for the crime and disorder reduction strategy has been divided between the chief executive, the assistant chief executive and the community safety officer, who was appointed to Oadby and Wigston before the new legislation was introduced, and who already works half the time for Harborough. The chief executive, Mrs. Ruth Hyde, chairs two of the six action groups arising from the strategy. The work is time-intensive, as she must implement the decisions of all of the multi-agency groups that are involved. The work of the police liaison group and the crime and disorder steering group must also be considered. Staffing resources are not adequate to meet the costs of the work that arise from that area of Government policy alone, and I have a list of about 15 additional burdens that have already been placed on the council.

Further legislative duties will also be imposed on local authorities, and they look no less onerous. There is the duty to introduce e-government, the duty to introduce a policy under the Race Relations (Amendment) Act 2000, and the new political management arrangements, all of which will require further work from increasingly stretched and under-resourced local authority staff.

As I said, this sclerotic effect is hindering not just the officers of the borough council but the work of councillors themselves. I am not making a political complaint on behalf of my party. It is true that in Harborough the Conservative party is the largest party on the council, with the Liberal Democrats some way behind and the Labour party a poor third. However, in Oadly and Wigston there are 21 Liberal Democrat councillors and—following the crossing of the floor by a Liberal Democrat last autumn—five Conservatives. There are no Labour councillors.

The problem is easily demonstrated. Last week's policy and resources committee agenda ran to 321 pages, 219 of which were unnecessary but for the need to fulfil central Government requirements. The agenda for the equivalent meeting in March 2000 contained only 50 pages. The present Government, and certainly their Back Benchers, disapprove of late night sittings in this House, but at least they get paid a salary for their attendance, if not their attention. Borough councillors should not be expected to wade through this bureaucratic treacle into the small hours. Huge chunks of the agenda are bound to be dealt with without proper discussion or scrutiny, and I should not be surprised if councillors decided to take matters into their own hands by considering hundreds of pages en bloc, so as to finish at a reasonable hour.

I shall give another example of the madness that the Government have created for the borough. The business plan required under the housing finance regime consists of a spreadsheet of 77 pages, with thousands of information cells. This bureaucratic nightmare is in addition to the housing strategy document that the borough must submit to the DETR via the Government Office for the East Midlands. Given that the borough has only 1,400 council dwellings, I cannot help asking whether all this extra paperwork has by any perceptible measure improved the standard of housing management.

I conclude by returning to Harborough district council, whose efforts to comply with the Government's demands are as courageous as the demands are burdensome. It is being put under huge strain in terms of personnel and finance, which is inhibiting the delivery of public services. I accept that it received some help from Whitehall for a homesearch project, for an e-government system in partnership with other authorities, for the delivery of care services with Leicestershire county council, for a home improvement agency with a housing association, and under the market towns initiative. However, there remains the underlying problem of the excessive and non-productive demands of central Government, which are not met with sufficient revenue support to allow any of the programmes to work satisfactorily. Harborough receives one of the lowest SSAs per head of population in the country, leading to a low level of net total spending per head.

Central Government's corporate demands on Harborough are truly staggering, and I shall list them as quickly as I can:

"Air Quality Strategy, BEST VALUE, Community Strategies, Contaminated Land Strategy, Crime and Disorder Reduction Strategy, Cultural Strategy, Data Protection, Development of local strategic planning, Disability Discrimination Act, Duty to licence shops selling raw meat and enhanced inspection regime, E-Government, Green Travel Plan for Local Businesses, Health and Social Care Bill, Health Improvement Programmes, Home Energy Conservation Act, Homes Bill, Human Rights Act, LocalAgenda21, Local Transport Plan, Modernisation Agenda for Local Government, Monitoring Officer to take in Parish Councils, New statutory Codes of Practice for Food Safety Inspection, Race Relations Equality following Stephen Lawrence Inquiry, Rural White Paper, Safe Route to School, Staff Travel Plans, Sub-Regional Strategies, The Power to promote Economic, Social and Environmental Well-being".

Will that list of demands lead to a sensible use of my local authorities' time, Mr. Deputy Speaker? If this Government value local government, they should, in the light of this evidence, provide my local authorities with the wherewithal to carry out their strategies, respond to their initiatives—eye-catching or otherwise—and hit their targets, or they should get off their backs. The Minister can choose, but she had better do so quickly.

1.49 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I am grateful to the hon. and learned Member for Harborough (Mr. Garnier) for securing this opportunity to debate local government and the issues that he has raised. Our record on local government finance since taking office is good, and the debate provides the opportunity to demonstrate that.

We have given priority to education and personal social services. Leicestershire county council's funding has increased substantially over the past few years, which will benefit the hon. and learned Gentleman's constituents in the two district councils on which he concentrated today. However, we are aware of the valuable role that district councils play in the life of the local community, so we have increased provision for that tier of authority also.

The hon. and learned Gentleman gave a colourful picture of the two district councils in his constituency and the areas in which they are placed and he is clearly

familiar with the work of both councils. Having spent 13 years as a local councillor and part of that as leader of a council, I am also familiar with the work of and the pressures that face local authorities.

I shall set out the general financial context because it is germane to the hon. and learned Gentleman's argument. Since taking office, we have provided local authorities with an increase in Government grant of about £8 billion. That is an increase of 14 per cent. in real terms, which compares starkly with the period when I was in local authority. We had a real-terms cut of 7 per cent. in the four years leading up to 1997-98, which really was a struggle. Provision for spending on education will increase next year by nearly £2 billion or just over 8 per cent. and on social services by about £580 million. Local authorities have received a significant injection of cash in real terms and have stability with the assurance that that will continue.

Despite what the hon. and learned Gentleman said, the authorities in his constituency have done very well from the increased investment. Government grant is paid to local authorities through the standard spending assessment system and he painted a bleak picture of the amount of grant that councils have received each year. I must put his comments in context. Leicestershire county council received a grant increase of almost £13 million. That is an increase of more than twice the rate of inflation and in line with the average for county councils and authorities in England. The district councils on which the hon. and learned Gentleman focused have also received above-average increases in standard spending assessment. Harborough's grant increase is below average for its class, but that is due to its tax base relative to the other district council that he spoke of. I shall give some details of how those local authorities have fared.

Harborourgh district council received an increase in standard spending assessment of 4.7 per cent. and an increase in grant of 2.4 per cent. That is a little less than the average for the class of authority, which was 3.9 per cent., but is accounted for by its higher and rising tax base. Oadby and Wigston district council received an increase in SSA of 6.3 per cent. and an increase in grant in the previous settlement of 7 per cent., which is twice the average for its class and, whatever baseline is used, three times the rate of inflation.

That is the context in which the hon. and learned Gentleman should locate his arguments. In addition to the general settlement, Leicestershire county council has received substantial neighbourhood renewal fund money. That does not relate specifically to the two district councils but has a knock-on effect in addressing some of the deep-seated problems in the area. Additional money has also been provided for specific purposes—for example, the Pathfinders award for local authority electronic service delivery to improve service and access, £1 million to the Welland partnership, which includes Harborough district council, and, in February, additional money through "invest to save" to provide internet-based services. Leicestershire county council, including Harborough, will receive almost £500,000 and another £2 million of funding will be provided for the Welland partnership via the single regeneration budget.

The hon. and learned Gentleman argued that the Government are requiring councils to be more strategic and focused and to deliver quality services but that that is not being matched by additional resources. I do not accept that argument. The increases in the general grant, as well as those for specific purposes, have been substantial and have gone to councils such as Harborough, and Oadby and Wigston.

Mr. Garnier: I know that the Minister is under some difficulty in responding to the debate. I am sorry that the e-mail system in her Department did not work last night, preventing her from receiving the draft of my speech that I sent her, and that the internal mail system failed to deliver the hard copy. She would have seen that I was concentrating not on Leicestershire county council, but on Harborough and Oadby and Wigston district councils. If she is proud to announce that one of my local authorities has received a 7 per cent. increase in grant and the other a 6 per cent. increase, will she restrict by equivalent proportions the burdens and duties to perform additional work that are placed on those authorities?

Ms Hughes: I think that the hon. and learned Gentleman is making two assumptions—first, about the relative costs of some of the extra requirements in terms of producing plans and so on, and secondly, about the extent to which we prescribe to local authorities the amount of money that they should spend on particular services. Local authorities, including the two district councils to which the hon. and learned Gentleman referred, have enormous flexibility in setting their own budgets and deciding on their priorities. He cannot claim evidence for his statement that a 7 per cent. increase in grant—or a 2.4 per cent. increase in the case of Harborough—may not be sufficient to accommodate extra demands.

I mentioned Leicestershire county council because it provides some of the most important services for people in those two district councils, including education and personal social services. It is relevant to point out the extent to which increasing the money that the county council receives for those services will have a beneficial effect.

One of the crucial issues at the heart of the hon. and learned Gentleman's speech was the performance of local government and whether there is room for improvement. I am aware that other authorities in the area surrounding his constituency face bigger challenges than those referred to today, and are arguably coping somewhat better. For example, Charnwood and Rushcliffe district councils have had very good reports from the Improvement and Development Agency, and their best value performance plans betray an excellent grasp of the requirements of best value and good performance across a significant range of council services. It is important to note that some district councils of comparable size are not only grasping the agenda but using it to improve their performance.

Mr. Garnier: Will the Minister give way?

Ms Hughes: I should like to make progress, because I must get to the point of the hon. and learned Gentleman's argument.

By comparison, it could be suggested that both Harborough and Oadby and Wigston district councils need to do more to improve the quality of their services

[Ms Hughes]

and to organise the way in which they manage themselves in order to produce better efficiency and value for money. I was concerned to learn that under compulsory competitive tendering, Harborough had to disband its in-house direct service organisation, and to institute other changes, as a result of hiding continuing long-term losses that should have closed the DSO much earlier. In 1997-98, Oadby and Wigston was served notice for failures to meet financial objectives in sport and leisure and ground maintenance.

Mr. Garnier: May I interrupt the Minister?

Ms Hughes: I shall give way in a moment.

Oadby and Wigston received a qualified report on its best value performance plan for 2000-01. The plan lacked sufficient information on performance indicators, gave no indication of the resource implications for service selection and provided no framework for running best value reviews, and its strategy on challenge required improvement. I shall happily give way to the hon. and learned Gentleman at this point, but we have only a minute left and I ask him to bear that in mind.

Mr. Garnier: I do not want the Minister to mislead herself. The scandal over the Harborough direct service organisation is of some antiquity, and antedates best value. Is she content that the two little local authorities have to spend more than £100,000 a year in audit fees?

Ms Hughes: We have certainly tried to ensure that the fees for smaller councils are proportionate, and we are continuing to do so. The structure of the funding that the Government gave through the Audit Commission to support the cost of audit fees was front-loaded to assist smaller councils.

In conclusion, I say to the hon. and learned Gentleman that I make no apologies for the extra requirements on local authorities. We have a duty to ensure that we are encouraging all councils to come up to the standard of the best. The variance in the quality of service is still far too great.

It being Two o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 5 April 2001

[SIR ALAN HASELHURST *in the Chair*]

Renewable Energy

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Pope.*]

2.30 pm

The Minister for Energy and Competitiveness in Europe (Mr. Peter Hain): I am pleased to open the debate and to set out our progress and the way forward to meeting our targets. By increasing the use of renewables, we can, first, reduce harmful greenhouse gas emissions and help to lessen the effect of climate change. Secondly, we can improve the security and diversity of our energy supplies. Thirdly, we can help Britain to move towards more sustainable forms of energy. However, renewable energy alone is not enough, but with reduced transport emissions, energy efficiency, increased use of combined heat and power and reductions in waste, it can play an important part in developing a more sustainable future. Experts predict that global emissions may need to be cut by 60 per cent. or more if we are to avoid dangerous climate change.

The Government have set a target to obtain 10 per cent. of our electricity from renewables by the end of the decade. That target is challenging for the Government in setting the right policy framework and for industry in terms of delivery. It is estimated that it will result in a saving of about 2.5 million tonnes of carbon towards the United Kingdom's climate change commitments. We shall have to reduce our dependence on fossil fuels and turn more and more to non-fossil sources and energy efficiency to reduce greenhouse gas emissions. The key role of renewables will be for the longer term, but it is important to establish a strong foothold for them in our energy sector over the next few years.

We are starting from a base of about 2.8 per cent. renewables in electricity generation in 1999 and we want to accelerate the rate of their deployment. At the end of last year, just under 350 live renewable projects were commissioned under the non-fossil fuel obligation—NFFO—with a capacity of 912 MW. In capacity terms, the top three technologies were landfill gas, energy from waste and wind energy. Taken together, they accounted for about 80 per cent. of the capacity installed under NFFO, which accounts for almost all the renewables projects commissioned in the United Kingdom so far.

We have made significant progress. We announced our intention to impose an obligation on licensed electricity suppliers, which will increase availability and use of electricity from renewable sources. We are developing a series of regional strategies and targets for renewables. We are consulting on a streamlined consents process for offshore energy. We have played a full part in the negotiations on the European Commission directive on renewable energy to help to make it a practicable instrument. We have introduced new electricity trading arrangements and published a report from the embedded generation working group. In a couple of months, we shall review how well NETA is working to ensure fair and equitable treatment for renewables and CHP under NETA. I attach great importance to that and was discussing it only this afternoon with the regulator, Callum McCarthy, on behalf of the Office of Gas and Electricity Markets.

The first United Kingdom offshore wind turbines and the first energy crops power plant have been commissioned. Last month, I announced the freeing up of NFFO contracts to move to other locations when planning difficulties are encountered at the original site. That will ensure that many more proposals are brought to fruition. I also made provision to safeguard NFFO contracts in future.

On 1 April, we implemented exemption of renewables electricity from the climate change levy, which is another important driver. In recent months, we have announced a package of direct support of more than £260 million for renewable energy over this and the next two years, including more than £100 million for offshore wind and energy crops, £100 million for green energy projects recently announced by the Prime Minister, £10 million for solar energy and more than £50 million for research and development. That represents a serious move forward by the Government to give real impetus and support to renewable energy, from research and development and scientific exploration right through to production.

That support is additional to the market for renewables that is being created mainly by the renewables obligation, which represents sales of perhaps £1 billion a year and will require investments of £3 billion or more. That will undoubtedly bring renewables right into the mainstream of our energy industry and can be expected to lead to more jobs in that important sector. Today's announcement of proposed offshore wind projects of up to 1,500 MW capacity will in itself lead to investment of £1.5 billion if all 18 sites are developed as planned. I shall return to that in a moment.

The British Wind Energy Association estimates that the demand for wind turbines could create up to 35,000 manufacturing jobs, many of them using the expertise that is already well developed in Britain because of the offshore gas and oil exploration and development industry. Such experience, expertise and, in some cases, jobs, can be transferred to the important offshore wind initiative.

I saw for myself, as a Foreign Office Minister, how photovoltaic installations could transform the lives of communities in Africa that were otherwise without any electricity. They have huge potential in schools, hospitals and clinics in remote areas and could bring much-needed modern education and health care to people who would otherwise have only much more basic facilities, or none at all. Driving forward PV solar on the African continent is an anti-poverty initiative, and renewables can help to alleviate poverty and improve quality of life for vast numbers of people. It is a sobering thought that, outside South Africa, only 9 per cent. of Africans have access to electricity—533 million do not. Frankly, there is no prospect of them getting access unless they have stand-free energy sources, of which PV solar is an ideal example.

[Mr. Peter Hain]

I am delighted that our Government are taking a leading role in the G8 countries' renewable energy taskforce, which reports to the G8 in the summer. In just 15 months, that is really good progress that demonstrates the Government's strong commitment to renewable energy, of which I regard myself as a champion. We are delivering, and the work to drive forward the renewables agenda is a top priority for me.

Our most important single instrument is the renewables obligation, which is scheduled to begin in October. It means that licensed suppliers will be obliged to provide a specified proportion of their power from renewables in future—10 per cent. renewables by the end of the decade. The obligation will provide an assured market for renewables from the autumn, lasting right through until 2026, and offer industry an established framework, market stability and confidence, so that investment can take place at a faster pace and on a larger scale.

Through the renewables obligation, the renewables market is expected to be worth £1 billion a year or more by 2010. That is big business in anyone's terms. I would advise any British company waiting for the details of the obligation to be finalised before they decide on new investments to be quick off the mark and get ahead of the competition. I recently met representatives from oil and gas companies and was pleased that they were so positive about the prospects for renewables for their companies, principally in terms of transferring their experience and expertise to a new environment. They have business and engineering skills that are extremely valuable in the further development of renewables—for instance, in offshore wind energy and wave energy.

Some technologies, such as hydro, landfill gas and onshore wind energy, are already well developed commercially. Others have reached the commercial demonstration stage: offshore wind and energy crops fall into that category. Others, such as wave power, need further research before large-scale commercial deployment is possible. I recently gave evidence to the Science and Technology Committee, which is looking into prospects for wave energy and tidal stream, and I look forward to its report. At this early stage, we are working hard to support companies and universities that are researching wave energy in the hope that that may prove to be a useful and commercial source of energy, which I am sure it can be.

We are expecting a significant contribution to the 10 per cent. target from offshore wind and energy crops, and we shall part-fund early demonstration schemes for those two technologies. It is encouraging that each has one project on stream. Off Blyth, we have the UK's first two offshore wind turbines, while the Arbre project at Eggborough is based on energy crops.

Green, clean energy is the future. Rapid development of offshore wind farms is a key element in the Government's strategy for renewable energy. I am extremely pleased by the news that we heard earlier today from the Crown Estate of the great success of the first competition for sites for offshore wind farms. Indeed, 18 proposed developments have passed the pre-qualification stage, which means that they have satisfied the Crown Estate of their financial viability and have been offered an option on a site. If those proposals go ahead as planned, which I hope they will, the combined generating capacity will be between 1,000 MW and 1,500 MW. That represents a huge increase in renewable generating capacity, which would be more than doubled and, indeed, nearly trebled.

The Government have given a clear green signal that wind energy is the way forward. Now, 18 offshore wind developers are ready to invest in providing green energy for Britain. The streamlined consents procedure will take away the hassle of making those projects happen, and each one will contribute the equivalent of about 50,000 households' supply. In total, they will provide the equivalent of about 1 million households' total energy use, which is a significant contribution to our agenda of reaching the 10 per cent. target by the end of the decade.

Mr. Gareth R. Thomas (Harrow, West): Does the Minister accept that another issue that will enable us to go even further in developing renewable energy capacity is the need to modernise the energy industry's infrastructure, which was highlighted in the embedded generation working group report published in January? Is he aware of the problems that some wind developers have had with infrastructure? Last year, for example, a proposal was made for a wind farm on the Isle of Wight, but the local distribution company presented the developer with a bill to upgrade the grid capacity on the site that could have reached more than £1 million. Does my hon. Friend accept that that long-term issue must be tackled if we are to develop greater renewable capacity?

Mr. Hain: Yes, indeed I do. I pay tribute to my hon. Friend's active stewardship of the all-party group on renewable and sustainable energy, a recent meeting of which I attended. I expected to meet the usual Back-Bench committee of a dozen Members of Parliament, half of whom leave to go off and vote or do something more important. However, there was standing room only, even though the meeting was in the Thatcher Room. There were 80 or 90 people from the industry and non-governmental organisations in the Room, and the initiative and energy that my hon. Friend puts into the group is welcome.

My hon. Friend's substantive point, of which we are aware, is real and important. If we manage to drive forward embedded generation renewable energy in such a way as will be necessary to meet the target, we shall need five to six times the number of connections to the wider transmission and distribution system. That will require a more proactive and sympathetic attitude from the industry, about which I have spoken to Ofgem. Indeed, a specific issue that I raised this afternoon with Callum McCarthy, its head, is that no renewable energy project or developer should face the kind of obstructionism to which my hon. Friend referred, and of which we are well aware. If hon. Members hear of such obstacles, please let me know and we shall see what we can do.

We are supporting offshore wind farms through the new renewables obligation and through capital grants worth up to £49 million. That is just the beginning. We will take offshore wind from the margins into the mainstream, helping to contribute to cleaner, greener energy. We must move away from the "not in my back yard" attitude that still prevails over onshore wind projects.

We must make serious choices about our future energy sources. Developers can help enormously by selecting sites more sensitively, taking account of local concerns, and through being prepared to modify their plans. Offering flexibility to NFFO contracts that have had planning difficulties, allowing them to be sited elsewhere, will lead to a rapid increase in deployment. I do not want any project to trample over local opinion, and each must conform to the highest environmental and planning standards. However, if we want cleaner, greener energy, every community in Britain must take its responsibilities and duties seriously.

Mr. David Chaytor (Bury, North): I want to raise the controversial issue of onshore wind farms in environmentally sensitive areas. A place near my home in the Pennines has a view of two major wind farms and a planning application is pending for a wind farm that lies in the other direction. The issue has preoccupied me for many years, and I have been involved in previous controversies over planning applications for Pennine wind farms.

Does the Minister agree that a move towards wind turbines rather than wind farms might overcome problems with developing renewable energy in environmentally sensitive areas? Environmental concerns might be fewer if it were easier for individuals in rural areas, not just farmers, to have individual turbines in their gardens or on their land, from which output would be lower than from a major wind farm.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Even in the relative informality of Westminster Hall, that intervention is becoming extremely long. If the hon. Gentleman wants to develop an argument, he should seek to catch my eye later in the debate.

Mr. Hain: I get the gist of my hon. Friend's argument. I cannot comment on the examples that are near to his home, but, in general, I suspect that future generations will look back at controversy over wind farm sites and wonder what all the fuss was about. They will be part of our landscape and seascape and we will be pleased to have them. Although it is important to take local wishes into account, we should not allow a NIMBYist stance to impose a veto on onshore wind farm developments. However, I encourage my hon. Friend's suggestion that individual farms, and perhaps companies and factories, could have their own local windmills. The current regulatory regime and direction of policy would support such a move.

We have made changes that will aid the resolution of problems such as that in the Pennines: allowing wind farms to be sited off the top of mountain and hill ranges; the NFFO transportable initiative, which allows developments to be sited in places that are less environmentally sensitive; and the reduction of buy-up prices. There will be less commercial pressure to place projects at the highest point to gain the most benefit from the wind. Our initiative has been designed with such aims in mind.

Mr. Chaytor: I shall be brief, Mr. Deputy Speaker. Would not the introduction of net metering for individual households constitute an important policy change that would expand use of individual wind turbines? That is what is needed to give households the incentive to construct their own wind turbines.

Mr. Hain: I shall not be led down the path of discussing individual metering—even by such an engaging Member as my hon. Friend—because that is a separate matter. However, I take his point and acknowledge his interest and involvement in renewable energy, which is well respected in the House.

Dr. Alan Whitehead (Southampton, Test): Is my hon. Friend the Minister aware of developments in underwater current turbine technology, involving inverting offshore wind turbines and placing them under, rather than above, the sea? Is that not the perfect solution for those who object to the sight of a blade anywhere? Is he also aware that the conversion rate of underwater current technology is far greater than that of turbine-to-air technology, and is his Department actively pursuing that option?

Mr. Hain: Yes, we are. Indeed, I discussed the matter with the Science and Technology Committee when I recently appeared before it. My hon. Friend's description is absolutely right—an offshore wind turbine is like a windmill turned on its head, as it were. In essence, it is a tidal stream project involving technology that allows us to take maximum advantage of movement in the tide. The problem is that the technology and the projects themselves are in their infancy. However, because the technology has great potential—particularly off the shores of Britain, where there are many ideal sites—we are supporting research, development and scientific and technological advance in a number of ways.

The renewables obligation is clearly the right way forward. We get the benefit of a Government-set framework, with all the added value that the market can bring in selecting which technologies to deploy in implementing the obligation and helping to meet targets. With the obligation in prospect, and given other measures and funding that we have set in train, I believe that renewables are well placed to grow rapidly in this country in the coming decade and beyond. I want British technology, expertise and scientific advance to lead the way, so that we can set an example to the world.

2.52 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): I begin by declaring an interest. Last summer, I visited the United States to meet oil industry representatives, the regulator and the Secretary of Energy, Bill Richardson, at the expense of a consortium of oil companies. This autumn, I joined the all-party group that is concerned with energy and renewables on a trip to Denmark, led by the hon. Member for Harrow, West (Mr. Thomas), to see wind energy at first hand. National Wind Power paid for the trip.

Denmark produces some 13 per cent. of its electricity through wind energy, and every other field contains two or three wind turbines. In keeping with the point made by the hon. Member for Bury, North (Mr. Chaytor), one or two wind turbines scattered throughout farmland do not look as bad as a densely populated wind farm. The technology is expensive, but there is clearly something attractive about a system that produces electricity for

[Mr. Nick Gibb]

nothing, other than the capital outlay and small maintenance costs. We welcome the Minister's announcement and the Crown Estate's decision to issue licences for turbines on certain offshore sites around the UK. We are beginning to see the glimmer of an emerging energy policy.

Everyone is surely in favour of the concept of renewable energy, but the problem is the cost. Electricity is the foundation of a modern, developed economy and will continue to be so. Any significant increase in the price of electricity will, therefore, have a serious effect on the economy as a whole and the standard of living of us all. Of course, it is always those at the bottom of the income scale who suffer most from a reduction in living standards in the economy as a whole.

We must do as much as possible to take advantage of renewables and develop systems that provide incentives for renewables and renewable technology to be developed, so that the cost per unit can fall towards market spot prices. However, if we believe that renewables are the answer to meeting future international climate change obligations, we are living in make-believe land. The facts are harsh. As the Minister said, only 2.8 per cent. of our electricity is generated from renewable sources, and the vast majority of that is represented by hydro-electricity. The Government have set a target of 5 per cent. of electricity from renewables by 2003, which effectively means doubling the capacity of renewable energy in 20 months. As most of that capacity is hydro, that means a colossal increase in wind, solar and other forms of renewable energy regimes, and not enough plans are on the drawing boards for completion in 20 months' time to deliver that.

The next target, of 10 per cent. by 2010, seems sufficiently far away to be achievable, but industry experts say that it is not. The Government's obligation includes a nice table that shows how the target will be achieved over a period of years. It is easy to draft such a table, but difficult to deliver what it shows. However, even if that target is achieved, the Government's own figures show that achieving it will add 3.7 per cent. to the cost of electricity generation, which would increase exponentially if the percentage target were raised.

The Minister touched on the Royal Society's demands for a 60 per cent. reduction in CO_2 emissions as necessary to affect the climate. However, even if the 10 per cent. renewables target is met, the Government will be way behind their target of reducing CO_2 emissions to 20 per cent. below 1990 levels by 2010. According to the Government's own figures in the climate change programme document, Cm 4913, CO_2 emissions in 2000 were 8.2 per cent. below 1990 levels, falling to 8.4 per cent. below 1990 levels by 2010, but rising again thereafter to reach only 4.4 per cent. below 1990 levels by 2020. According to page 52 of the climate change programme, those figures

"include the emission reductions expected from some policies that the Government has introduced since Kyoto, such as the climate change levy, the fuel duty escalator to 1999, and the 10 per cent. renewables target."

Therefore, even if the 10 per cent. renewables target is met, according to the figures CO_2 emissions will still rise from 2010. However, I suspect that CO_2 emissions will rise next year as the Magnox decommissioning takes off.

It is interesting to witness how the Government assiduously manipulate all Government figures that have a political content. The draft climate change programme that was published last year showed a 9.4 per cent. reduction on 1990 levels in CO_2 emissions in 2000, but a 7 per cent. reduction in 2010. According to the Government's projections in that draft, therefore, CO_2 levels rose in this Parliament, under this Government. Lo and behold, in the final climate change programme, the 9.4 per cent. becomes 8.2 per cent., and the 7 per cent. becomes 8.4 per cent. In other words, CO_2 levels are still falling in this Parliament under this Government, but only just, and some assumptions seem to have changed between the two drafts of the climate change programme.

Many Opposition Members need to understand why those figures were published, and growing anxiety is being expressed about the integrity of facts and figures in the Government's documents and parliamentary answers. That requires urgent action. The Red Book provides an example of the manipulation of the CO_2 figures. The section on the climate change programme refers to several blue-sky policy proposals, such as a reform of building regulations, and if the consultation proposals are fully implemented it is predicted that there will be a 1.3 million tonne reduction in CO_2 emissions. Similar early-stage policy proposals are set out in the accompanying table and, lo and behold, their estimated effect is to produce a 19 per cent. reduction in the 1990 figures for CO_2 emissions. That figure does not quite reach the 20 per cent. target, but it is sufficiently high to acquire a flavour of credibility and it is the figure that the Red Book highlights, rather than the 4.4 per cent. figure that is also mentioned. That will not wash, and it feeds the public's mistrust of any advice or facts, particularly on scientific issues, that emanate from the Government.

I will now return to the projections that CO_2 emissions are rising, which are based on Great Britain achieving its 10 per cent. renewables target. Those figures are founded on assumptions about electricity use over the next 20 years. On 19 March 2001, at the Chamber of Commerce conference in Washington in the United States of America, Spencer Abraham, the new Secretary of Energy, delivered an excellent and wide-ranging speech on the importance of having an energy policy. That is a matter that the Minister is, at last, beginning to ponder. In his speech, Abraham made a particularly important point:

"Over the next 20 years, the Department of Energy estimates that electricity demand in the United States will increase by 45 percent ... Furthermore, there is reason to believe that this could turn out to be a conservative estimate. During the 1990s, electricity consumption far outstripped projections, driven by the energy-hungry information economy. Some experts calculate that the demands of the Internet already consume some 8-13 percent of electricity."

Great Britain might experience a greater increase in demand, as internet use in our country is not yet as advanced as it is in the USA, but we are heading in the same direction. I think that the Government's projections are based on figures that underestimate electricity demand. If that is the case, we would experience a significant rise in CO_2 emissions. Renewables could not adequately compensate for that, unless the Government introduced a significant hike in electricity prices, which would cause huge damage to our economy. Yet, we could generate all our energy

from renewable sources, if we were prepared to pay double or triple for our electricity. The Government have not yet addressed how they intend to respond to that matter.

The Government have also failed to address the consequences of the decommissioning of the ageing Magnox nuclear power station. Nuclear energy saves the equivalent of half of all CO_2 emissions from motor vehicles. Therefore, the decommissioning of nuclear power stations will have a huge impact on future environmental policy. The Government have not yet developed a realistic strategy to address that. Their only major pronouncement on energy policy has been the energy White Paper on the gas moratorium, which has resulted in millions of tonnes of carbon being released into the atmosphere.

Mr. Gareth R. Thomas: What are the hon. Gentleman's plans for an energy policy? How does he propose that we should respond to the challenge of the reduction in nuclear capacity between 2010 and 2020? I invite the hon. Gentleman to engage in fantasy politics. If he were to become the Minister responsible for energy following the next election, would he strike a deal with the shadow Chancellor to ensure that, despite his party's plan to make £16 billion of savings, he will not cut the £260 million that is available for renewable energy projects at the moment?

Mr. Gibb: None of the figures in the Red Book will be altered, apart from the £8 billion of savings that my party has clearly explained. Savings will not be made in the area under discussion.

The best way to deal with emissions is to enhance the use of the market. The Government propose a complex emissions trading system, but it should be simplified. That would harness market forces and ensure that we employ the most cost-effective way of introducing renewable energy.

Dr. Whitehead: I have listened carefully to the hon. Gentleman's exposition, but I am not entirely clear about the conclusions of his analysis of the feasibility of renewables and climate change targets. Is he suggesting that those targets should be repudiated, as the American Government have suggested, and that, inter alia, the Kyoto protocol should be abandoned? Is he saying that his party, were they in power, would support those targets but seek to achieve them by other means?

Mr. Gibb: We are clear about our view of Kyoto. We would stick by and deliver any international obligations into which we have entered. After all, it was Conservatives who went to Rio and agreed all the initial arrangements. It was not a Labour initiative. We are fully behind reductions in CO_2 emissions and the programme dealing with climate change concerns.

The Government are coming out with a huge amount of humbug. The decommissioning of the Magnox nuclear power stations will present Britain with a large problem. We can meet our Kyoto targets in 2008-12 because of the move to gas-fired power stations over the past 10 or 20 years, not because of some great achievement by the Labour Government. With all the scientific evidence at their disposal, it is up to the Government to devise a strategy for how they will deal with the decommissioning of Magnox. They have been in power for four years without producing an answer to this key question.

Mr. Chaytor: Will the hon. Gentleman give way?

Mr. Gibb: If I may, I will finish.

We believe strongly in what we have coined as a blue-green agenda, which means using the market to encourage development of more environmentally friendly energy generation. However, we do not pretend or kid ourselves that renewable energy and energy efficiency will deliver the reduction in CO_2 sufficient to deliver the Government's 20 per cent. target, especially with the decommissioning of Magnox. It is a harsh reality of elected office that the Government must devise a strategy to tackle the problem that does not involve simply manipulating the presentation of figures so targets appear to be met. We need real answers to these real issues. The Government should tell us that they intend to develop a full energy policy, of which we heard the glimmerings today.

3.6 pm

Dr. Desmond Turner (Brighton, Kemptown): I am almost lost for words after listening to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb). I must remind him that we have always regarded humbug as a monopoly held by the Conservative party, and he has just demonstrated why that is so.

The end of the Magnox reactors has been approaching for years, yet I do not remember hearing a word from the previous Government about plans to meet that eventuality. I remember no targets or obligations for renewable energy production from the previous Government, and no recognition that a real problem was on its way. That is why I am lost for words.

Mr. Gareth R. Thomas: Is not my hon. Friend being too generous to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb)? Does he recall that the previous Government axed the research funding for wave energy projects? Does he remember the plan to reduce research funding for renewables in general from some £15 million at the end of their term to some £11 million if they had stayed in office?

Dr. Turner: Yes, indeed. My hon. Friend is right. I was going to come to the sad decline in wave energy under the previous Government when I reached the point of making my own remarks, as opposed to responding to those of the hon. Member for Bognor Regis and Littlehampton.

I want to focus on the potential for wave and tidal energy. The Science and Technology Committee has taken evidence on this topic. My comments do not represent a preview of our report, but my personal reflections on the evidence that we have taken, which has impressed me deeply.

In the UK we have allowed ourselves to be self-disadvantaged. We sat with plenty of cheap carbon fuel on our doorsteps and revelled in it. We did nothing to address the approaching end of cheap carbon fuel, let alone the environmental consequences of depending on the carbon fuel economy.

[Dr. Turner]

At the end of the previous Labour Government, wave energy research was starting promisingly in this country and we were world leaders in such research. Shortly after the Thatcher Administration came to power, the plug was pulled on the research because of market pressures—there was not an obvious market for it. That Government had a short-sighted attitude towards the economics of power, which, regrettably, the Opposition do not appear to have grown out of.

There was a loss of impetus about renewables. For instance, we missed the boat on wind power. In contrast, Denmark was worried because it did not have cheap carbon fuel on its doorstep and had to look for alternatives. It took the lead on wind power, developed it as a commercial proposition and now leads the world in the production of wind turbines. It exports about 90 per cent. of the world's wind turbines and that industry has grown with the creation of 15,000 jobs. Denmark saw energy as a challenge, not a market by-product.

Even if carbon fuel continued to be cheap, there would be enormous environmental costs in continuing to depend on it. We desperately need the green revolution, to which the Prime Minister referred in his speech.

Our country has superb renewables assets. We have wind—quite a lot of it—but wind energy is limited because wind is unpredictable. We have fantastic energy sources in waves and tides. One of the world's best energy resources is available on our western seas and could be developed by our science base, which is equal to that task. Fortunately, it managed to survive the deprivation of the Thatcher years and even Professor Salter is still in Edinburgh and back in business with wave energy. It was pleasant to hear his evidence.

Our assets of exploitable energy should not be underestimated; they are enormous. If wave or tide is fully exploited, there is the potential to produce sufficient electrical energy to satisfy the country's entire needs. Obviously, it would take a little time to develop that, but the natural energy potential is there. That potential is very predictable. Weather forecasting can tell us pretty accurately what type of waves we will get. However, tidal streams are wonderful. They are totally predictable and operate like clockwork. One knows exactly what the flows will be at any given time and at any point around our coasts. They could be used precisely to deliver a baseline power load in the manner that nuclear power stations do. If a replacement is needed for Magnox reactors, look no further than fully implemented tidal stream power.

I shall address the point of the hon. Member for Bognor Regis and Littlehampton about cost. He tried to tell us that renewables were too expensive and that their use would hurt our economy because the price of the electricity supply might go up by a few per cent. He is ignoring one point—once technologies are exploited on a truly commercial scale, the costs come rocketing down. Wind energy is a perfect example. When the Danes started with wind turbines, the generation costs were approximately 13p a kW hour—which is very expensive—so the Danes used subsidies to encourage its development. Now, the cost is less than 3p, which is competitive with fossil fuels. As far as wave and tidal power is concerned, the estimated costs for present planned demonstrating machines are already down to approximately 5.5p per kW hour. If fully exploited, the projected costs are 2p per kW hour—well within the current commercial range. The hon. Gentleman's arguments on cost do not stand examination. He is looking at the issue from a very short-term perspective. To do that is to be doomed to failure, because we would use only what is immediately to hand and never reach out for something that is only a little further away, but well worth having.

If we throw our energy into the development of wave and tidal power, the prize is immense and well worth having: clean, predictable energy and a new manufacturing industry with enormous export potential. It could create thousands of jobs and last for at least 50 years, or the foreseeable future. We cannot afford to miss that opportunity.

What is the Government's role? We need to examine that this afternoon. Fortunately, since the glorious revolution of 1997, there has been a change in Government policy towards renewables. It was a little slow in coming, but that is in the nature of the Department of Trade and Industry, which two years ago was still making assessments that tidal stream energy would be of no interest for 30 years. There is plenty of evidence to dispute that. The DTI is starting to change its tune.

The Engineering and Physical Sciences Research Council, which we could reasonably expect to support research into the issue, is, frankly, being rather feeble. It is pathetic that the EPSRC is putting so little money into wave and tide research compared with wind and photovoltaic projects. We were appalled to hear from representatives of the EPSRC that they did not fund any tidal stream projects. We were also worried when one of our Committee advisers told us immediately afterwards, "They are funding a project in my department so they do not know what they are doing".

Given the order of ascendancy of the availability of natural resources in this country, it is extraordinary that we should be funding wave and tidal power in inverse proportion to its availability. We must urgently revise those priorities and do all that we can to bring on wave and tide energy. We have the technology, which is not as much in its infancy as it might be thought. Indeed, different demonstrator machines are going to sea. More will be joining them over the next few years, so the technology is ready for exploitation.

We have another great advantage in this country. Thanks to the history of the North sea oil industry, we have a great deal of engineering expertise that can cope with the rigours of the marine environment. That is no longer a problem. No technical barrier exists to exploiting wind and tidal power. It is a question of getting on with it.

I want the Government to give a clear, unambiguous lead, as the Danish Government gave a lead to Danish industry, which led to development of the wind turbine industry in Denmark. The Government need to set more ambitious targets and obligations—a target of 10 per cent. is highly achievable. We need to aim for a much higher target thereafter. A target of 30 per cent. by 2020 should be attainable. Once we have commercially

useable machinery, it is merely a question of installing it. If there is a market, industry will invest and machinery will be installed.

Targets are essential, but I would question one aspect of the Government's targets, which include energy from waste and biomass. A non-carbon target should be set, which would be a further driver towards developing the kind of technologies to take us out of the carbon economy altogether. That is what we need for the long-term future.

A good slice of the Prime Minister's £100 million should be allocated to wave and tide. That is essential. The Government should give grant aid to the production and testing of commercial prototypes, which will allow them to get off the ground. The lessons to be learned from real exploration in the sea can therefore be used.

The Government need to do all that they can to ease the granting of planning consents. Happily, the Minister mentioned that point. One of the tidal stream experimenters to whom we spoke described his difficulties in trying to obtain consents to put trial machines in the Solent. Seven bodies had to be consulted, which would have taken two years, so he gave up and went elsewhere. Other experimenters will go to Iceland to install their prototype machines rather than install one in Britain. That is bad. It does not help the development of the industry in this country. Streamlining is, therefore, needed.

Fortunately, the Minister referred to the problems of the grid. One of the unhappy aspects of wave and tidal power is that the best natural resources and most obvious sites for exploitation are where the grid is at its weakest. The Government will have to engage in hard negotiation with the National Grid Company, and perhaps even invest with it to beef up those connections.

Another step that the Government could take, which is easily attainable and would cost a modest sum, is to establish a national test centre with a grid connection. That would allow companies—which are normally small and medium-sized enterprises—to install their machines on the seabed or wherever is appropriate at the location, connect them to the grid and put them to the test. At the moment, there is a danger that those companies will go elsewhere—Iceland, Portugal and even Denmark, which has established such a centre. It would cost only an estimated £10 million to establish such a centre which would be extremely useful and productive.

From all that I have gleaned, both technologies are ready to begin the process of exploitation. Their costs are about 5p per kW hour, but it is predicted that they could decrease to less than 2p per kW hour when the technologies are fully exploited. The history of technological development suggests that that would be no more than an average performance profile for a new technology, so we can probably depend on those figures.

The environmental impact of wave or tidal stream energy is much less than those of land-based wind farms or any other renewable. We would hardly see something that had been placed a mile or two offshore. If it were a tidal stream turbine, we would see a little pole standing a few feet above the water, depending on the type of machine. With other possibilities, we would see nothing. The technology has everything going for it.

We have a golden opportunity that British industry will not have again in a long time, and we would be an extremely foolish nation to let it pass. Tidal stream and wave energy give us an opportunity to escape from the carbon-fuel economy, dramatically reduce CO_2 emissions and produce totally clean energy. Unlike burning biomass or energy from waste, with which there are potential pollution and environmental impact problems, there are no emission problems with tidal stream or wave energy. They could be used to provide baseline supply and so replace ageing Magnox reactors. They give us an opportunity to grow a new manufacturing industry for the 21st century. The Government need to give a lead to this country and the rest of world.

There is an international dimension, because those technologies could be exploited in many parts of the third world. There is a real fear that industrialised economies in the rest of the world will continue to increase CO_2 emissions, but there are technologies that could be used to help avoid that. We must grasp that fantastic opportunity and act vigorously now to make the best of it.

3.28 pm

Mr. Tom Brake (Carshalton and Wallington): I welcome today's announcement of 18 new sites available for wind farms and their potential to provide 1 per cent. of the total electricity supply. That 1 per cent. is balanced by the expectation that electricity use will rise by 1 per cent. in the next 15 years, but the announcement is still a welcome and long overdue boost to a fledgling industry.

In the past, getting permission to build wind farms was a stupidly convoluted process. Anyone who has read *The Guardian* today will know that consent was needed under the Electricity Act 1989, the Food and Environment Protection Act 1985, the Coast Protection Act 1949, the Town and Country Planning Act 1990, the Water Resources Act 1991 and the Transport and Works Act 1992. Most amazing is the length of time that it has taken finally to tidy up that process. Wrapping up an industry in red tape is certainly not a way of encouraging it to thrive, as I am sure any small business would tell the Minister. Will a maximum time be allowed for processing planning consents and, if so, what will it be?

According to the Department of Trade and Industry's digest of UK energy statistics, only 1.3 per cent. of British energy is produced through renewable energy sources, which is both a challenge and an opportunity. The contribution of wind farms to increasing that proportion is an important, but small, step. When does the Minister expect wind farms to be up and running? How much will they contribute to the target of 10 per cent. renewable energy by 2010? Presumably, the hon. Gentleman has estimated when the wind farms will come on stream and how many will do so. There are planning consents for 18 sites, but there must be an estimate of how many are likely to proceed. The Government will have factored those assumptions into their plan for achieving the reduction target of 10 per cent. by 2010.

Renewables have the potential to be a huge growth industry, and now is the time when they need the most Govt support. The development and success of the

[Mr. Tom Brake]

renewables industry has an integral role in tackling climate change and reducing our reliance on fossil fuels, which damage the environment.

As a nation, we have started to take responsibility for our actions as the evidence mounts of the damage that we are doing to our environment. George Bush may want to bury his head in the sand about global warming, but it is starting to have a huge impact on our lives, our children's lives and those of people in many other countries, and we must take action now. Reducing our share of greenhouse gas emissions by using alternative energy sources is a vital part of that action.

The United Kingdom has an obligation to reduce its output of greenhouse gases by 12.5 per cent. in the period 2008 to 2012, which is the Kyoto target. The Government have promised to do even better: to reduce carbon dioxide emissions by 20 per cent. by 2010. Those are noble aspirations but, as a report in the *Financial Times* stated in February, according to Cambridge Econometrics the Government expect to miss the target by a considerable distance. Liberal Democrats agree with the higher target; Kyoto is just the beginning. As the Minister said, in the long term it is vital that emissions are reduced more significantly than that, to 60 per cent. or thereabouts. That is why the strategy should go beyond 2010 if we want to achieve the target set by the royal commission of 60 per cent. by 2050.

We have an effective strategy to tackle climate change that we believe could achieve emission levels of 50 per cent. of 1990 levels within 40 years—the document is in the public domain, on the Liberal Democrats' website. It is possible for 20 per cent. of electricity supplies to be provided by renewables within the next 10 years. If I had been on a sponsored trip to visit the oil companies in the United States, I might have thought that the target of 20 per cent. was not realistic, but we have set out clearly how it can be achieved.

Today's announcement is a start, but it is not enough. Now that the Government have sorted out the planning restrictions, are they willing to reconsider their targets for renewables, as one hon. Member suggested, and to go for more ambitious targets? If planning consent was a major brake on the expansion of the renewable energy industry, now that the brake is off, there is scope for a much more ambitious target. As I said earlier, there is potential for enormous and sustainable growth over the next 50 years. That growth will create additional jobs, which is good not only for the economy but for the environment. The development of renewables should be seriously considered.

There are no simple answers. The renewables industry faces many challenges. It is not a dream solution that will solve all our problems overnight. For instance, as other hon. Members have pointed out, some renewable industries create their own pollution. It is regrettable that so much emphasis is put on creating energy from waste. The Government should remember that many—hon. Members and members of the public—have expressed concern about the potential for growth in incineration and our capacity to create energy from waste. The Government should certainly not take that route to deliver its 10 per cent. target for renewables. Their priority should be the development of more environmentally friendly parts of the industry, such as wind and wave energy, as other hon. Members have suggested.

The Government should aim for a target of 10 per cent. of our energy coming from renewable energy sources within the UK. They have not requested that that target should be delivered with renewable energy created within the UK. We suggest a target of a 1 per cent. increase in renewable energy from 2010 onwards. We want to see clear progress being made beyond 2010. We want the target to be met in 2010, but we want to be sure that plans are made long before then for what should happen afterwards.

The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) illustrated the failure of the previous Conservative Administration to tackle the problem. At the end of their term of office, we were at the bottom of the EU league table for renewable energy. The hon. Gentleman should consult more widely with electricity suppliers. A few weeks ago I visited Unit E, an electricity supply company, which told me that it expected soon to have a renewable energy product on the market that would cost no more than normal electricity. The reason is because an admittedly small group of domestic users actively search for renewable energy sources. Because people are willing to search, the electricity company can reduce its advertising costs. It believes that it will be able to offset those reduced costs against the slightly increased cost of electricity generated from renewable sources. The customer should, therefore, see no difference in price. I hope it comes forward with that product soon. It is a large company and could make a significant difference to the renewable energy market in the UK.

We have a long way to go to catch up and meet the targets. I hope that the Minister will set out a longer-term time frame and say what targets the Government are beginning to work on to take us beyond 2010 and the 10 per cent. target. I hope that the Minister can muster his green Ministers to press for renewable energy within their respective Departments. If the electricity company to which I referred can supply renewable energy to domestic customers at the same price as normal energy, it may be able to supply it for much larger consumers of electricity.

The renewable energy industry is in a lucky position. It has the opportunity to give a lot back to society while remaining profitable, which is good for us all. I hope that it will rise to the challenge, and that the Government will help the industry to do so.

3.40 pm

Mr. Gareth R. Thomas (Harrow, West): Two years ago I was lucky enough to be at Wembley stadium as Scott Gibbs scored a magnificent try for Wales and the peerless Neil Jenkins kicked the conversion to see Wales beat England by one point—a fantastic and wonderful day. Today's announcement that 18 sites have been identified and that developers are in a position to take advantage of them is similarly great news for those who have been advocating the benefits of offshore wind power.

To take the rugby analogy further, the win against England was one isolated victory, but in future I do not want only to hope that Wales might beat France; I want

to know by how many points France and other teams will be beaten. Similarly, I am not satisfied with the knowledge that 18 sites have been earmarked for offshore wind; I want to know that many more wind sites will follow and that there are also plans to develop capacity for other forms of renewable energy.

I join the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) in declaring my visit to Denmark last year. His speech was notable for its lack of any solutions to the challenge of climate change. He made no attempt to suggest what Britain's energy policy should be. When he reads his speech in *Hansard* tomorrow, I hope that he will be embarrassed by the fact that it was effectively a tour around the annexes of various Government consultation documents.

The hon. Gentleman is, however, a nice and intelligent chap. After the general election, when the cull of shadow Cabinet Ministers takes place, he is my candidate for the Trade and Industry job. He must recognise that he will not be able to hide then as he has sought to hide today behind Government statistics. He will have to be clearer about his plans for renewable energy in particular and energy policy in general.

Sustainable energy is where the market meets the environment. This new industry can advance the causes of modernisation, sustainable development and social justice; help manufacturing and industrial competitiveness; create significant new employment opportunities, particularly in manufacturing and engineering industries; offer alternative sources of income for hard-pressed rural areas; and provide huge opportunities for business from the growing world markets for renewables.

My hon. Friend the Minister touched on the environmental imperative, which should drive renewable energy capacity expansion, and the hon. Member for Carshalton and Wallington (Mr. Brake) touched on the regrettable actions of George Bush in repudiating the Kyoto treaty. Despite that, pressure will grow to go beyond the 5.2 per cent. greenhouse gas emission levels currently on the table under Kyoto.

A recent report by the insurers, Munich Re, for the United Nations Environment Programme indicated the high cost of inaction in abating greenhouse gas emissions. It concluded that:

"losses due to more frequent tropical cyclones, loss of land as a result of rising sea levels and damage to fishing stocks, agriculture and water supplies, could annually cost around $US304.2 billion."

Where will that cost fall? It will fall on those who are on low incomes, yet the hon. Member for Bognor Regis and Littlehampton used such people as an example to try to justify a lack of progress on renewable energy.

There is a consensus on the need to take action but, clearly, there is no political consensus yet on the magnitude of the greenhouse gas reduction that is necessary to stabilise the climate. The intergovernmental panel on climate change and, more recently, the royal commission on environmental pollution suggested minimum cuts of at least 60 per cent. from 1990 levels. Even that might be an underestimate, but it is a useful starting point. The implications of such reductions are that we will need to reduce carbon intensity by more than 1 per cent. per annum, year on year, for the next 50 years: a sustained level of improvement over the next 50 or 60 years that is unprecedented, except perhaps in times of war, oil price shocks or other national emergencies.

To compound the challenge to the UK, nuclear power will start dropping rapidly out of the electricity system in 10 years' time—the one comment of the hon. Member for Bognor Regis and Littlehampton that I agreed with—unless it is replaced, which is not likely on economic or political grounds. The Department of Trade and Industry estimates that nuclear output will fall by approximately two thirds between 2010 and 2020, and carbon emissions could rise significantly unless that part of our energy supply is replaced, at least in part, by renewables or other zero carbon emission technologies.

The imperative driving the expansion of the renewable energy industry is not about the environment only; it is also about regeneration and fuel poverty. The Government are quite rightly spending millions of pounds to regenerate estates and areas of the country that were left to go to rack and ruin under the previous Government. How can we make such regeneration schemes even more attractive? In the long term, we could reduce the on-going energy costs of the houses and buildings that we are regenerating, by making buildings more energy efficient, and by building in sources of power—combined heat and power installations, solar panels, district heating schemes, even the occasional wind turbine, where appropriate—so that energy does not have to be purchased from traditional sources. As my hon. Friend the Member for Bury, North (Mr. Chaytor) suggested, why not allow the owners of those houses and businesses to sell any excess power that they generate back to the national grid to reduce their costs further?

Greenpeace and the Peabody Trust installed 30 solar panels on three low-income houses in Silvertown, east London. It is projected that each home will save one third—almost £60 a year—off its electricity bill as a result. That is an example of renewable energy tackling fuel poverty and reducing the energy costs of those who are on low incomes.

When he was at the Foreign Office, my hon. Friend the Minister promoted renewable energy to facilitate economic development. Renewables can be used to power irrigation schemes to improve crop growth and tackle famine or to provide power for health clinics. Solar panels and wind turbines offer small, cost-effective energy solutions that can drive economic development and help achieve the Labour party's goal of greater social justice.

The other imperative behind renewable energy is the huge potential for new jobs. Solar photovoltaics is already a £1 billion global industry and is growing at 30 per cent. a year. The wind industry is growing at 25 to 35 per cent. a year. Overall, the global market for new renewables, excluding hydro, is worth about £40 billion a year and expected to grow. Work that has been done by Energy for Sustainable Development suggests that an additional 96,000 jobs, over and above the 4,000 that already exist in the UK in the renewables industries, could be created if we make progress and reach the 10 per cent. target that we have set. In Europe, 500,000 net jobs might be possible. Many of those new jobs will be in rural areas, which are hard pressed, as we all know. Offshore wind, for example, provides opportunities in

[Mr. Gareth R. Thomas]

fabrication and manufacturing industries to replace jobs in an offshore oil and gas industry that has passed its peak in opportunities.

Until recently, few in the renewables industry believed that we were on course to meet the 10 per cent. target. Modelling carried out by Forum for the Future and Cambridge Econometrics suggested that, assuming current policy measures, less than 6 per cent. of UK electricity would come from renewable energy by 2010. I recognise that the announcement by my hon. Friend of an extra £200 million over 12 months might help us to reach that target later, but the huge numbers of jobs that can be created will not be created if we allow slow progress in developing renewables capacity. We must inject greater urgency into developing the renewables industry.

The hon. Member for Carshalton and Wallington mentioned green energy suppliers. Fewer than 20,000 UK consumers—0.075 per cent. of the total—have signed up to green energy. In contrast, there are 150,000 green energy consumers in the Netherlands and 250,000 in Germany. According to Yorkshire Electricity advisers, the big problem in Britain is the lack of available renewable energy capacity. Many consumers are unaware of green energy and are not being given the choice that they want.

The final imperative in championing renewable energies is the point about diversity and security of supply. One key consideration for British energy policy has always been to ensure that energy comes from a range of diverse and secure sources. The hon. Member for Bognor Regis and Littlehampton spoke about the increasing acceleration of gas production during the past 20 years, and our dependence on it. I understand that current Department of Trade and Industry projections suggest that, by 2020, the UK will obtain 70 per cent. of electricity through gas. The UK's gas production is expected to peak in a few years, which will mean a steady rise in imported gas. According to the recent Ministry of Defence paper, "The Future Strategic Context of Defence",

"by 2020 we could be importing as much as 90 per cent. of our gas supplies."

That is a cause for concern, especially when one considers that the main sources of that supply could include Russia, Iran and Algeria. It is logical that we should boost the domestic renewables capacity, in order to reduce our dependence on fuel imports.

Business competitiveness could also benefit from development in renewables capacity. The Ford factory in Bridgend meets some of its energy costs by the solar panels on its roof, and BP Solar has championed the use of building voltaics as a way of businesses bringing down their costs and making their products cheaper. If we want to develop the renewable energy industry's capacity, we must modernise its infrastructure. The joint DTI-Ofgem report that was published in January highlighted the important issues. The report concluded that

"without significant changes, renewables and combined heat and power plant...will continue to be at a disadvantage when compared with generation connected to the transmission network".

Among the report's main findings is the fact that electricity distribution companies are charging renewable and combined heat and power generators too much for connecting to power networks. The report suggested a new regulatory pricing structure to limit the connection charges for renewable developers and give more financial incentives, to the National Grid Company for example, to encourage green power projects. We need urgent movement on those recommendations if we are to have the infrastructure to tackle the problems and allow the range of embedded power sources to expand considerably. We have almost 1,600 sites, but if we are to meet the 10 per cent. target, we need 4,400. If the working group's recommendations are not implemented, we will struggle to meet it.

Will my hon. Friend say more about making non-fossil fuel obligation contracts more portable? We are all familiar with the problem of NIMBYism in relation to planning issues; enabling developers who have won NFFO contracts to move the sites may help them solve such problems and thus draw down the income stream of an NFFO contract, so that new renewable energy capacity can be brought on line more quickly.

If negotiations with the Ministry of Defence over offshore wind sites are not already taking place, they should be. Whole swathes of possible sites for offshore wind have been ruled off limits because of MOD concerns that planes can hide from our radar defences behind offshore wind sites. What are the Minister's views on that? What research is under way and what discussions are taking place to resolve those problems?

The biggest problem that needs to be addressed is that of lack of ambition for renewables—of which we had a graphic illustration in the contribution of the hon. Member for Bognor Regis and Littlehampton. We need to go beyond the targets of 5 per cent. and 10 per cent. Why are we not announcing targets of 20 or even 30 per cent. beyond 2010? When will we publish regional targets? Should we not incentivise regional development agencies to meet such targets and to help industry plan further investment in renewables? A key institutional change for which the Minister may recognise the need is the one-stop shop for offshore wind permits.

Responsibility for renewables is still split across several Departments: renewables with DTI, energy crops with MAFF, CHP and energy efficiency with DETR; planning policy crucial to the development of all three Departments is also with DETR. The Green Alliance identified 16 different Departments or agencies involved in promoting sustainable energy. A sign of the need for change is the fact that both DTI and DETR now have sustainable energy units. It does not seem sensible in terms of the sustainable energy agenda to split the talent in our civil service. A sustainable energy agency with a tsar-like figure of a chief executive who has the confidence of the Minister for Energy and the Prime Minister would be helpful.

I invite my hon. Friend the Minister to speculate with his officials, as he walks back to his office after the debate, on what he could do in terms of renewables capacity if he had not just £260 million but £1 billion. Could he allocate £200 million to more investment in solar energy? If 50 per cent. grants were given, that would get a 40,000-roof programme and 175 MW of capacity. One could have perhaps £300 million for offshore wind, with nearly 60 MW of capacity and

£450 million for biomass, with possibly 850 MW of capacity. When the civil service, with its natural caution, suggests to him that that is quite a lot of money, maybe he would acknowledge that, while that is true, it must be compared with the recent allocation of £100 million over three years to help the coal industry, the £500 million to help BAE Systems develop new technology, or the £1.5 billion that it would take to subsidise around 2,000 MW of new nuclear capacity.

The announcement today of the 18 sites for offshore wind is an example of the excellent progress and the huge steps that the Government have taken in terms of renewable energy. It marks the end of a beginning, the final step towards respectability for those of us who have advocated renewable energy. There was always a worry that renewable energy was seen as the preserve of lentil-loving, bearded eco warriors, but in fact renewables have great potential to solve a huge range of problems facing Britain. I congratulate the Minister on the progress represented by the announcements that he has made today, but I urge him to look beyond that.

3.59 pm

Mr. John Horam (Orpington): I was not present at Wembley when Wales beat England by one point, but I was in front of my television set when England beat Wales by 40 points.

Mr. Hain: I was there.

Mr. Horam: A sad day for the Minister, obviously. The genius of Jonny Wilkinson eclipsed even the peerless Neil Jenkins on that famous occasion. I must admit that, unlike the hon. Member for Harrow, West (Mr. Thomas), when I read this morning about the wind projects that have been announced, I did not leap into the air with exaltation, as I did at the moment when England beat Wales by 40 points. Nevertheless, I genuinely and warmly welcome the news, which is thoroughly to be applauded.

I welcome the Minister's remarks, which he made with his usual conviction and style. I also welcome the contribution of my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb), who made an important point to which I hope the Minister will pay serious attention: the need for honesty and clarity in the figures that the Government present. The integrity of Government figures is an important national asset. Suspicions have developed over the years in that respect, and it is important in this context, as in many others, that the Government take that seriously.

I agree with the many hon. Members who have highlighted the vast potential of this area, which is one in which we should not lack ambition. As the Prime Minister has said, it is a win-win situation. A huge global industry is developing, and we must be part of it if Britain is to play its true role—not only on an environmental and sustainable development front, but on a business front. I have before me a table of figures produced by the European Commission—if the Minister has not seen it, I commend it to him—showing the percentage of electricity generated from renewable sources by various countries in 1997. It shows Austria with more than 70 per cent., Sweden with 50 per cent., Portugal with 38 per cent., Finland with 25 per cent. and Britain right at the bottom with 2.8 per cent. I accept that those figures relate mainly to hydro-energy, which has a history that we are not part of. However, the energy technology support unit, the Government's official advisory body on renewable energy technologies, has produced figures that show that the UK could meet 100 per cent. of its electricity demand from renewable sources. That is an area in which we can be really ambitious.

The brilliant record of previous Conservative Governments—especially in tackling climate change, reducing CO_2 emissions and the dash for gas—put the Government in a wonderful position further to develop our successes, which has been rather marred by what they have done so far. For example, they introduced a moratorium on gas-fired power stations and subsidies for coal, which was exactly the wrong thing to do from the point of view of the environment and CO_2 emissions.

The Government have not lived up to the Prime Minister's welcome words at the beginning of his term of office, when he said that he would put environmental considerations and sustainable development at the very heart of policy making—something that he has palpably failed to do. I was glad that he returned to the subject last November, when, as a kind of mea culpa, he gave a notably ill-received speech. In March, he made a much better speech that was more focused and clearly engaged his enthusiasm more strongly. That reversal of thought, by which the Government are starting to treat the environment as an important issue, is rather late in the day—and, I note, just before a general election—but it is welcome, given that for three and a half of their four years in office they were facing in exactly the opposite direction. We welcome the conversion, although there is a long way to go.

I welcome the £100 million for renewable energy that the Prime Minister announced in his March speech, just as I welcome his comments on the important issue of sustainable agriculture, although we are not discussing that today. The Environmental Data Services report, however, which is authoritative on all matters relating to sustainable development—I am sure that the Minister is becoming familiar with it in his new capacity—said the other day:

"The extra money will add to the confusion of funding sources for the sector, and may revive demands that they be brought under a sustainable energy agency."

The hon. Member for Harrow, West raised that issue, and I know that he has pursued it in a sustained way during the past two or three years.

The Government announced last summer that £13 million per year from the climate change levy will go to the DTI over the next three years to provide grants for offshore wind and biomass projects. However, the EDS report says that that is now destined only for offshore wind. Will the Minister confirm that?

The EDS report continues:

"The £100 million pledged by the Prime Minister in March will come from three sources: £60 million from the Treasury's capital modernisation fund, £20 million from the performance and innovation fund, and £20 million from a reallocation with the DTI's budget."

[Mr. Horam]

The report further comments:

"The DTI has claimed that the £100 million will be available over the next three years. But this appears inaccurate. Mr Blair said on 19 March that a report from the Cabinet Office's Performance and Innovation Unit will set out how the money will be allocated between technologies."

I understand, however, that that report is not due until the autumn, so we do not yet know whether what the Prime Minister said is accurate.

The EDS report also said:

"The DTI will provide £10 million over three years to support the solar PV industry. It is not clear whether this is separate from the other funding sources."

There is considerable confusion about the funding sources. That is, I am afraid, endemic where energy is concerned.

When the Environmental Audit Committee, which I chair, was producing its report on energy efficiency a couple of years ago, we visited Nottinghamshire and Derbyshire, where there is an excellent energy partnership. After that visit, the Committee concluded that

"a major complaint was over the time and effort it took to achieve coherence between the various sources of funding available. There were also significant procedural barriers and we heard of a number of examples where Government rules and regulations had to be outwitted to achieve Government objectives."

That was a kind way of putting it.

The hand of the hon. Member for Harrow, West can be detected in the report's conclusion, which stated:

"We recommend that the Government review its arrangements for developing and implementing sustainable energy policy and the potential for synergy between efforts to promote energy efficiency and efforts to promote the development of renewables. In particular it should consider carefully the concerns that have led to calls for...for example, the establishment of an independent sustainable energy agency. It seems clear that while Government believes its arrangements can be made to work, this view is not shared by significant partners outside Whitehall."

We continued:

"We recommend that a new unit with a dedicated staff be given specific responsibility for driving and coordinating policy on energy efficiency".

In other words, we did not go the whole hog in advocating a sustainable energy agency, but we pointed out that there is real need, as the hon. Gentleman said, for proper co-ordination and synergy inside Government. Otherwise, however much money is spent, it will not achieve the full monty, as it were. The Government must face that problem.

Further to the confusion that I have outlined, funding is not very great. The £10 million for the solar photovoltaic industry, 50 per cent. of which will be paid out as grants, will support only 2,000 installations by 2004. The Government say that they want the UK to be a major player in the market, but the plans compare poorly with Germany's goal of 100,000 solar roofs by 2007 and Japan's planned 70,000 by 2002. Our efforts are, frankly, small beer.

Last year, 65 MW was commissioned in the UK wind sector, which has been discussed extensively this afternoon. In the meantime, according to the American Wind Energy Association, Germany added 1,668 MW, bringing its capacity to 6,113 MW. Next in the global market was Spain, with 775 MW of new turbines, and Denmark, with 400 MW of capacity. They are big players in an area in which we are almost non-existent. The figures underline the effort that we must put in, with the Government co-ordinating. It is certainly true that we have a significant advantage in terms of offshore wind, which is why this morning's announcement is welcome. We are beginning to get off the ground in that regard, and it is offshore wind that could enable us to take a significant step forward.

We should not ignore biomass and energy crops, which have not been mentioned much in today's debate. Given our informal discussion on renewable energy a couple of weeks ago, the Minister will be aware of the comments of my hon. Friend the Member for Boston and Skegness (Sir R. Body), who is himself a farmer. As my hon. Friend pointed out, it is not a question simply of subsidies. These days, farmers are very suspicious of subsidies, because they know that they can change from year to year or end suddenly, so they cannot necessarily plan a long-term future. Before turning over their fields to energy crops, they want to know that there is a real commercial future.

Energy crops pose special problems. It is not simply a question of clearing the old crops, putting in the new ones and hoping for the best. Should one decide that the venture has failed, it takes several years to bleed energy crops out of the system and return to ordinary crops. A farmer who converts some of his fields is taking a big risk. None the less, given the current state of agriculture and the rural crisis, we should bear it in mind that energy crops could play a significant part in the future of renewables. I hope that the Government will not neglect them.

In our informal discussion, I asked the Minister whether he would co-ordinate with Lord Sainsbury, the Minister for Science. In terms of co-ordinating effort and assessing current developments, the forward-looking arrangements that are in place, which the previous Government initiated, are valuable. We should combine developments in academia, Government and business, and recognise the achievements that a properly co-ordinated, machinery-of-government approach could bring about.

I understand that the Government are reviewing public and private funding for renewables. In particular, they are considering whether there are gaps in private funding that need to be supplemented by Government funding. That is a sensible move, which I entirely support. I should like to know what the state of play is in that regard, and whether the Government intend to publish their findings.

Finally, as Chairman of the Environmental Audit Committee, I can assure the Minister that we will take a close look at his work in the next few months. We believe that this is an extremely important issue, and we shall closely monitor what he says.

4.13 pm

Dr. Alan Whitehead (Southampton, Test): I welcome this afternoon's debate, which, as many hon. Members have noted, reflects the coming of age of renewables, not only as a serious part of any UK energy programme, but as a serious subject for discussion. Indeed, I suspect that they will be central to any future discussion on this country's energy policies.

The need for renewable energy relates primarily to what we do about greenhouse gas emissions. During the past century, we have been profligate with the release of long-stored CO_2 into the atmosphere. At the beginning of our debate, I heard someone saying that the usual suspects are present, so there is no need for charts on the atmospheric concentration of CO_2 or the enormous concentration over the recent industrial period in parts per million of CO_2 in the atmosphere. Very few scientists or public figures now dispute the link between the rise of CO_2 in the atmosphere and mankind's doings, or the onward march and apparent increased effect of global warming beyond recent predictions.

It is unfortunate, as some hon. Members have said, that one of the few global politicians who repudiates that hypothesis is President Bush, and the only politician of any standing in this country who repudiates it is the hon. Member for Billericay (Mrs. Gorman). I am not sure whether she and President Bush can be closely bracketed together, but it is something for us to ponder on.

My hon. Friend the Minister referred to the IPCC estimate of what we must do to move towards climate stability for the planet. He referred to a reduction in CO_2 emissions from 1990 levels of 60 or 70 per cent., and other hon. Members explained what that means in terms of the progress that we must make. It is certainly more than our current progress. That also gives us cause to reflect on what we mean by a renewable energy policy. Such a policy should not be an add-on to other energy policy considerations, or something on which we may make a little progress because it is a bit cleaner than some other energy policies. It has to be a central imperative if we are to get anywhere near the sort of reductions that most leading scientists in the world say are the minimum starting point for climate stability. In that context I was concerned to hear the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) saying that we must worry about the cost and so on. We should debate that, but it should be done in the context that a reduction strategy is an imperative and not an add-on to something else that we are doing.

It is interesting to reflect on the notions that we had a few years ago when we thought that we should move to renewable energy because we would run out of non-renewable energy resources. In the 1960s and 1970s, we had various prognostications that we would run out of oil in a short period. New methods of exploration then gave us the idea that we had more oil reserves than we had thought, and some people thought it unnecessary to discuss renewables to the same extent. We now know that if we used all our known mineral energy resources, we would comprehensively poison the atmosphere. Using our known reserves of oil and mineral fuels is no longer the option we thought it might be prior to the introduction of renewable energy. Renewable energy is the alternative way forward, and a substantial proportion of our known reserves of mineral fuel can remain in the ground.

It is important to remember that, apart from the environmental considerations, the planet has passed the historic point at which we have used more than half the likely reserves of mineral energy. It is downhill all the way, and it is likely to be at a faster rate than our ascent up the curve of the mineral energy economy in the past century. Furthermore, the majority of the remaining reserves of oil are in the hands of five or six countries, and that concentration will increase as the curve goes downwards. In terms of geopolitics, I am unsure whether it is a good idea to mortgage our future on reserves in the hands of such a small number of countries. For several reasons, it is important that we get on with re-equipping ourselves to wean our economy away from its dependence on mineral fuels.

It is also interesting to see how far the debate has come. A few years ago, anyone who suggested that a substantial proportion of a nation's energy supply could be obtained from renewable sources would have been considered certifiable. Now that has changed, and the hon. Member for Orpington (Mr. Horam) mentioned an energy technology support unit study that demonstrated that if we properly harness the resources available in this island of ours, most of our energy could be obtained from renewable sources. That is not to suggest that we have to go around in handcarts to have our energy from renewable sources. As far as I understand the ETSU report, it states that we could live similar lives to those that we lead now. That is a fundamental breakthrough in the debate. A high-tech, high-industrialised, comfortable modern society could be sustained on this island using energy supplied from renewable sources.

The idea that we can run an economy substantially provided by the planet's revenue resources, rather than the planet's capital resources, has begun to percolate down into policy making. The Government know that we must make giant strides in our capacity to generate energy from renewables, and are beginning to deploy the policies and resources to allow that to happen. The mechanisms must be there, and, in my view, they must be more than market mechanisms, which I heard with some incredulity as the sum total of the Opposition's policy on renewable energy development. The Opposition have, of course, shamefully pledged to scrap the climate change levy, which is a key starter mechanism. It is a vital tool in our toolbox, because it encourages the efficient use of energy and, if possible, the reduction of energy use.

Indeed, the exemption from the levy for renewables creates a further mechanism for the creation of a reliable market for renewable energy by 2010. The target of 10 per cent. of energy supplied by renewables gives shape to our ambitions. My view is that the climate change levy and the target for renewable energy are important first steps, but, as my hon. Friend the Member for Harrow, West (Mr. Thomas) and the hon. Member for Carshalton and Wallington (Mr. Brake) have underlined, they must be followed up with long-term commitments on what happens next. I anticipate that both the levy and the renewables target will rise in the second decade of the century. As the market for renewables expands, the attainment of new targets will become easier and the pressure on costs will be taken off industry by the sourcing of energy supply from renewables: a virtuous circle, which we can create if we have the will to do so.

The Government have also taken firm steps to develop the technologies that will supply those markets. The Prime Minister's recent announcement of £100 million for renewables development was a superb shot in the arm for the industry, as were today's announcement of 18 offshore wind projects and the

[Dr. Alan Whitehead]

Minister's wise decision to allow stalled renewable projects access to NFFO money, which was in danger of disappearing if the projects had not matured by partieular dates.

All that is excellent news, but I want to concentrate on one aspect of renewable energy: photovoltaics. Until recently, the DTI regarded it as a long-term research technology. In the Green Paper on renewable energy that was published in 1998, photovoltaics is down for longer-term consideration in the United Kingdom after 2010, but in the recent White Paper, "Opportunity for all in a world of change", I was encouraged to see the following statement:

"Solar photovoltaic PV systems, which generate electricity from daylight, are a renewable energy form with enormous potential. Their current contribution to electricity supplies is small, but growing rapidly with the aid of substantial support and investment around the world. PV tiles and modules can be incorporated into the roofs of homes and the facades of offices, enabling buildings to generate their own electricity."

It is interesting that the statement emphasises the fact that PV generates electricity from daylight. The DTI nomenclature of PV as generating electricity from the sun seems to have undergone an important change. All that is required for PV is for it not to be night. A continuous and reliable current can be produced without strong sunlight.

The important point about the recent change in thinking is that PV is a mature, not a fringe, research technology. With developments in thin foil PV technology, the conversion rate of solar tiles is now four times greater than five or so years ago. The installation of solar or PV technology in roofs is now a realistic proposition. The technology does not need a great deal more research, but it needs to be brought to market.

With a south-facing roof with embedded PV, most households would be able to support sufficient cells to supply approximately 75 per cent. of their electricity needs. I am hoping to have a substantial PV installation on my roof by the end of the year, and I hope that the Minister will visit me to enjoy a cup of tea heated by the daylight that we will see through the windows. Indeed, other hon. Members may care to join us.

PV is fundamentally different from other forms of renewables, because it is not site specific. If anything, it is urban specific. There is no need for tides, hills with lots of wind or large fields to grow willow coppicing—just lots of roofs, and as anyone can see, there are many roofs in towns in the United Kingdom. The roofs do not even need much doing to them. As hon. Members have mentioned, if solar energy is embedded into roofs when houses are built, PV becomes virtually a common-sense part of daily living. At a recent conference, I was struck by a photograph taken by another speaker of a converted barn that had a complete solar tiled roof. Apparently, the next-door neighbour was curious about why someone should be taking photographs of the roof, and was completely unaware of the embedded installation.

However, there are problems, and we must be realistic about them. The cost of PV electricity is relatively high, mainly because of the cost of the installation and of the cells, although once installed, the electricity is virtually free. The price of the cells is the real cost, and their amortisation over 25 years—the life of the system—provides the price of the electricity. The cost is largely because there is no mass production of PV cells in the UK. Virtually all PV installations in the UK rely on imported cells. One large PV factory in the UK would, in its own right, bring the cost of PV down the price per kilowatt to something like that of traditionally generated electricity. That is especially important because of the capital investment required.

Indeed, a PV roof mortgage market might develop over the next few years—one would pay a mortgage for one's roof, which would be paid back with the savings made as a result of the free electricity supplied. If that system had a payback period of, say, 10 to 15 years, it would be a realistic proposition—any building society or bank will lend on that basis—but if it pays back in 40 to 50 years, that is not so realistic. We must bring solar to market, and not just do the research, so that such mechanisms can develop.

The way in which electricity is imported when the PV system does not supply enough through its own mechanisms is important. My hon. Friend the Member for Bury, North (Mr. Chaytor) mentioned two-way metering. During daylight hours in the summer, an average domestic PV installation will produce much more electricity than it needs, so it can be exported to the national grid. If it is night time or winter, it will produce less, so it will need to import. A single meter that runs forwards and backwards should be part of standard installation. Electricity companies should not demand that two meters be installed in a house for that purpose. In addition, a fair price should be paid for electricity exported. It is not acceptable for electricity companies to claim that, because the electricity has to be carried to the national grid, the charge for electricity imported and electricity exported should be at a ratio of 5:1.

Training in PV plumbing is needed. As far as I know, no college runs courses, let alone offers qualifications, in PV plumbing. If even some of the targets in the White Paper are to be achieved, a swathe of skilled installers will be needed to undertake widespread domestic retro-fitting, and embedded fitting in new housing estates. Currently, there are simply not enough people with such skills. However, such skills are likely to be much in demand in the future—it will be, literally, a sunrise industry career. That must be investigated in the wake of establishing mechanisms that will bring PV to market and make it work well.

I look forward to a future in which we pay our way in energy supply. By that, I mean that we use the energy that the world makes for itself as it goes along, rather than using the capital of the fabric of the planet. That is the key difference about renewable energy. I congratulate the Government on the steps that they have taken so far. However, a certain phrase keeps coming into my head: "A lot done, a lot left to do." Those are the watchwords for our debate this afternoon.

4.33 pm

Mr. David Chaytor (Bury, North): I congratulate the Minister on the announcements that he made in his opening statement, which was hugely encouraging to many hon. Members who have had a long-standing interest in renewable energy. I also congratulate the

Government on the increasing interest that they have shown in the matter during the second half of this Parliament.

All hon. Members present are aware that renewables are crucial to this country, not only for its economic future, through the enormous potential for the revival of the British engineering industry, but for the way in which we respond to climate change, which remains the biggest single threat to the survival of human beings on this planet, and because of important geopolitical issues surrounding the development of renewables and the rundown of fossil fuels. That was hinted at by my hon. Friends the Members for Harrow, West (Mr. Thomas) and for Southampton, Test (Dr. Whitehead).

It has been said many times that the stone age did not end for lack of stone nor the steam age for lack of steam. The oil age will probably not end for lack of oil, but it will become increasingly difficult to extract the remaining global oil reserves. Such extraction, whether it occurs in Alaska or the Arctic, will cost increasingly more, and become more environmentally dangerous. The world's remaining oil reserves will be increasingly under the control of a small group of countries—among them Iraq, which will have the largest single supply of oil reserves after 2010. The prospect, after 2010, of depending on Iraq's fossil fuels, or gas supplies from Algeria or Russia, should concentrate our minds on the geopolitical issues.

The development of renewables is the key not only to managing climate change and reducing our emissions but probably to resolving the largest blockage in the Kyoto protocol negotiations: the American Government's refusal to ratify the protocol and the decision of the new President of the United States not to support it. There is an argument that the Americans object not necessarily because they are reluctant to reduce their emissions per se, but because they are reluctant to reduce them when, over the next 20, 30 or 40 years, they anticipate the threat of competition from developing countries such as those in southern Africa. Competition may also come from China, which is particularly relevant because of the present conflict in the South China sea.

Advanced industrial countries, with the engineering capacity to develop the wide range of renewable technologies that we have discussed, are crucial. The technology could be sold to the enormous markets of China and southern Africa. If we can build a future and map out a scenario in which industrial development in China and southern Africa does not depend on fossil fuels, and in which the United States can see that it will not be at a competitive disadvantage to such countries, that may be the way to clear the blockage in the Kyoto negotiations and persuade the United States that ratification is possible, on certain conditions.

The development of renewables has enormous global implications. My only regret is that this debate is being held in the smaller Chamber. It should be held in the main Chamber, within the context of a wider debate about the green industrial revolution, which the Department of Trade and Industry is currently promoting, thanks to the initiatives of the Secretary of State, whose presence we would welcome at such a debate in the weeks and months ahead, because we need to consider seriously all aspects of that industrial revolution. Such a debate should occur in Government time and in the main Chamber.

I was impressed by the ability of the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) to recite an apparently interminable list of statistics, and equally depressed by his complete lack of vision about what the world will be like in the future. I suspect that if we had sat here 200 years ago, he would have told us that there was no future in coal, and if we had sat here 100 years ago, he would have told us that there was no future in oil. We sit here today, and he tells us that there is no future in renewables. I do not know his prospects of ascending to the role of shadow Secretary of State after the election—who knows what cull will take place after 7 June—but if he is to ascend to a high position, he should provide more vision on behalf of the Opposition. The Opposition must spell out their policy on renewables, and on energy in general.

Mr. Gibb: The hon. Gentleman should have listened to me. I pointed out that renewable energy is not the answer to the Kyoto targets, the greenhouse gas emission problem and climate change, because it will not deliver the cuts in CO_2 in the time required or at a realistic cost. If the Government are serious about reducing CO_2 emissions to the levels agreed internationally for 2010 and beyond, they must start thinking about energy policy more seriously and find a realistic and urgent answer to Magnox decommissioning.

Mr. Chaytor: I listened carefully to the hon. Gentleman earlier, and I am glad that he has reiterated his argument, because it confirms my belief that he lacks vision. The 2010 targets can be reached not simply by using renewable energy but by improved energy efficiency—but only if the political will is there. The targets for after 2010 have yet to be decided. We accept the recent recommendation of the royal commission on environmental pollution that we shall need to consider targets of 60 per cent. or even higher by the middle of the century.

We need now to develop a climate change strategy for beyond 2010, with a progressive increase in targets for CO_2 emissions, and as those targets are increased, the benefits of the renewable technology will increase progressively to compensate. If we look at the development of technology over the past 100 years—for example, the development of the internal combustion engine and motor vehicles, of computers and mobile telephones—it is obvious that once a market is developed, once the thrust of scientific research is put behind those technologies, once they have taken off, they develop exponentially.

I ask the hon. Gentleman to think of the state of development of computers 10 or even five years ago and consider how quickly they have developed. Renewables in 2005 or 2010 will be vastly different from now, because of the amazing discoveries and developments that have been made in wave and tidal power, in photovoltaics and in wind turbines, as my hon. Friends have said. I intend to construct a single wind turbine in my back yard and I, too, will invite the Minister to join me and inspect it in due course.

[Mr. Chaytor]

I know that time is short and that my hon. Friend the Member for Stafford (Mr. Kidney) wishes to speak. Simply expanding renewables is not the total solution. Other factors must be considered: the most important—it is almost a prerequisite—is energy efficiency. I was delighted that the Minister gave an important speech in the Queen Elizabeth conference centre two or three weeks ago to mark the publication of the Government's fuel poverty strategy. Significant commitments and enormous investment are being made to improve energy efficiency in the homes of the poorest people in the UK.

As we go about our work on the Parliamentary Estate, when we examine what happens in our homes and offices, when we visit schools, factories and hospitals in our constituencies, we can see that the scope for making further improvements in energy efficiency is phenomenal. It is not simply a question of a little more insulation, but of developing new technology and energy management. We must persuade the Government to start investing in energy efficiency on a much broader front.

I make the categorical claim that the Kyoto target—the Government's ambitious, voluntary 20 per cent. target for a reduction on 1990 levels—could be met by improved energy efficiency measures alone, but that will need political commitment. It will also need a campaign of public information and education, with appropriate support for the low-tech solutions necessary to deliver those efficiency measures.

We must pause a moment to define renewables. Some people—including, I suspect, the hon. Member for Bognor Regis and Littlehampton—define nuclear energy as renewable. In the debate on climate change, it is important to say loud and clear that nuclear energy should not be so defined, whatever the nuclear lobby has tried to argue in the past two or three years. It has taken them a long time to wake up to the point. Although it is indisputable that individual nuclear stations do not emit carbon dioxide, the infrastructure of the nuclear industry as a whole emits vast quantities of it.

There will always be a small role for nuclear energy; it is extremely important that nuclear research and development continues, because it is impossible to predict what science will deliver in the years ahead. However, anyone who is persuaded by the argument that because the Magnox stations will close by 2010, there is somehow an energy gap, and thus a case for developing new nuclear plant, is living in cloud cuckoo land. Does the hon. Member for Bognor Regis and Littlehampton seriously think that nuclear energy is economically viable? He cited figures that I did not recognise, saying that renewables cost three times more than fossil fuel electricity. That is not my experience. I can ring up Scottish Power, for example, and get a contract for renewable electricity in my home for a modest extra payment. Most electricity companies offer that service.

The real cost of nuclear power, now and in the past, shows that it has never been economically viable and existed only because enormous amounts of taxpayers' money went into it. If it were viable, why are not people in Britain queueing up to run a private nuclear power station? It is because they know that they cannot make a profit from it.

My hon. Friend the Member for Test had the excellent idea of mortgages for photovoltaic roofs, and my suggestion, which relates to fuel duty, complements his. I shall not go into the complicated arguments on the subject, but fuel duty has contributed significantly to the reduction of CO_2 emissions in recent years. The future of the internal combustion engine will be short-lived: within 10 years it is likely that the majority of new vehicles in this country will run not on petrol or diesel but on hydrogen. The key challenge is to find a way of managing the transition from the internal combustion engine to the fuel cell engine. Fuel cells produce no emissions and there is an infinite supply of cleanly produced hydrogen.

Some years after the Government introduced the fuel duty escalator, they made a commitment that any future increase would be ring-fenced for the development of public transport, tying together in the public mind the relationship between the impossibility of continuing as we have in the past, with an economy dominated by the private vehicle, and the necessity of developing more public transport. They should consider ring-fencing the fuel duty revenues, not for public transport, as the connection for the public is too remote, but for the development of clean and renewable fuel for the private motor car. It could go into a fund that would support the research and development of fuel cells or, more usefully, one that would provide rebates for individuals buying fuel cell cars when they are marketed in 2004, 2005 and onwards.

The key to reducing the dominance of the internal combustion engine and the transport sector's high CO_2 emissions is to make the transition to the fuel cell. Using fuel duty revenues to subsidise the introduction of fuel cell vehicles would be a winner. It would be effective and efficient and make it clear to the public that it is vital to wean ourselves off fossil fuel, especially in motor cars, and on to clean and renewable energy.

My final suggestion is about the need to revive British engineering. The development of renewables—whether wind power, wave power, photovoltaics or wind turbines—provides enormous opportunities for British engineering. If we want to expand renewable technologies, we should look for sites in areas that were most locked into the development of fossil fuels. If we want to find a site for an enormous photovoltaic factory—with large enough panels to make it economically viable—we should examine areas of the country that were dependent on coal. The Government—and our society more widely—have a responsibility to put something back into the mining areas that were so devastated both by the specific actions of the previous Conservative Government and by the inevitability of the running down of fossil fuels. Locations in old coalfields would be perfect for the development of clean, renewable technologies. The point also applies to old nuclear sites. The Sellafield site in Cumbria, for example, might be considered as a future location for a true centre of excellence for renewable technologies in the United Kingdom.

I congratulate the Minister once again. Today's announcement is important and I hope that, as the weeks and months go by, we shall have many more debates about renewables and the green industrial revolution.

4.51 pm

Mr. David Kidney (Stafford): My hon. Friends have set me a tricky challenge. What renewable can I install at home and invite the Minister to view? We have had solar panels and wind turbines; there are no waves near Stafford; would an energy crop do?

It has been a pleasure just to listen to our debate, and reassuring to hear such knowledgeable views about a sturdy future for our renewables industry. There will soon be an explosion of demand for renewable energy sources, and those who take the plunge now and develop the industries to meet that demand will benefit later. We could not prevent the industry from developing if Britain failed to take part, but we could lose opportunities for jobs and security of supply in the future. I hope that Conservative Front Benchers will reconsider their attitude.

I can understand why the American hosts of the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) may have felt threatened. Individual consumers developing their own energy sources and adopting net metering must sound like anarchy to those who are used to being in command of their markets—but that will happen in due course and companies will have to deal with it. The wiser ones are already adapting well to the change.

In this country there has been far too much stop-start in promoting the renewables industry. The Government are slowly moving in the right direction. The signs are there: the renewables obligation, the fund for clean energy out of the climate change levy, the regional renewable energy targets, the capital grants for offshore wind and energy crops, research and development support, money for the solar photovoltaic demonstration project and, most recently, the Prime Minister's announcement of another £100 million. I have learned from a parly answer that the money is so far unallocated. Perhaps we can have some input, through what we say today, on how it might best be spent.

This country remains disappointingly near the bottom of the league table for renewable generation. It is difficult to envisage how we can change that. Some say that consumer prices present too much of an obstacle, rather like the threat to beef producers' supplies in the meat industry. We must face down those arguments and focus on protecting the climate and reducing harmful emissions. Those should be much higher priorities and the Government should intervene to make that clear. They must get the financial regime right if they are to do so effectively.

The operators of combined heat and power units receive no tax break in this country for selling off excess power—power that is not needed—whereas those in most other countries do. That means that it is more economic to buy in heat and power separately and not bother with a combined heat and power energy unit, which is exactly what we do not want. If the Minister has heard about that problem before, I hope that his colleagues in the Treasury are addressing it.

Two hon. Members have mentioned the report from the energy technology support unit—ETSU—which said that we could go a long way towards meeting our electricity needs from renewable sources and identified solar power as the lead provider. As my hon. Friend the Member for Southampton, Test (Dr. Whitehead) said, the factor holding back the widespread installation of solar panels is cost. He made a point that I wanted to make: we could bring prices down to levels comparable to those for fossil fuel generation with one major PV factory achieving economies of scale. There are no technological barriers in the way of such a scale-up. Solar panels are expensive, so not many people buy them, so not many are manufactured and they remain expensive. The Government need to step in to break that deadlock.

The European Commission has proposed a target of 500,000 roofs in the European Union by 2010. On a per capita basis, our share would be 70,000. Germany already has a target of 100,000 roofs. This Government could help in several ways. Compulsion could be one way: building regulations for the construction of new properties could be changed. Incentivisation could be another: there could be a system of tax credits for those who carry out installations or build new properties. There are ways in which we could do well. There will no doubt be big business in future, but we are losing out on our share of it.

Other hon. Members have given a strategic overview, but I thought that I might assist the Minister by talking about the grass roots in Stafford. We have had a go at promoting renewable energy as an industry, although we have not succeeded brilliantly yet. Let me start by explaining that Stafford has quite a history of power generation. We have had watermills since at least 1164, horse-driven mills since 1561, windmills since 1585, steam trains since 1876 and petrol and diesel engines since 1903. The Dormans factory was set up in 1870.

We have had 100 years of electricity generation, turbines, transmission and distribution in Stafford, first by Siemens, which sold out to English Electric, which in turn sold out to the General Electric Company, which embarked on a partnership with Alstom in France and then sold out to it. The new company was floated on the stock market and called Alstom. It is now a major employer in Stafford, but like many traditional manufacturing companies, it has been downsizing in terms of employee numbers for a long time. That came to a head a year ago, when about 1,000 people lost their jobs in six months. It was a frightening time for Stafford, because that was a big blow to the local economy.

We cast around for ideas on how to respond. I thought that, as we had 100 years' experience, we should look for the next—hon. Members should excuse the pun—generation of the power industry, by considering renewable energies. That struck a chord with local people. Renewable energy is popular with people and they want to see more of it. They certainly like the idea of jobs making things that help to produce renewable energy.

The local council was successful in a bid for single regeneration budget round 6 money, which included an element for developing renewable energy. The regional development agency—Advantage West Midlands—supported the scheme, which was excellent. However, we have encountered difficulties as a result of the lack of individuals and organisations with the vision and enterprise to make schemes work. Some people are keen. One company in Stafford is a good biomass producer and has started a waste-to-energy scheme and developed an idea about energy crops. All that is the

[Mr. David Kidney]

result of one person's enterprise, but there are simply not enough individuals who can undertake the right work. The Minister may like to consider whether we could put together some successful case studies, either by sector or by place. We can disseminate such information throughout the country, giving examples to others on how to proceed.

I wish to comment on the Minister's side-by-side development in the Department of Trade and Industry of industrial clusters. There is a good possibility that there will be peer group support for renewable energy industries, if they can be clustered together and support each other through the difficult times of setting up. The mighty ideas at the top are supported at the national level to become policies, but they will not work unless someone gives them a little push on the ground.

5 pm

Mr. Hain: I am grateful to the last two speakers for giving me a lot of time to reply to the debate—perhaps rather more than I expected, but I am delighted to have the opportunity to do so. Although it is a custom of Ministers to say that they have been involved in a good debate, I actually mean it on this occasion. It has been a good debate. I have learned a great deal from it and I am sure that my excellent officials sitting behind me have learned a great deal, too, not least because of the passion of well-informed enthusiasts in the House for renewable energy. That will give me, as the Minister responsible for such matters, extra encouragement to take forward such an agenda in the knowledge that many well-informed people will be on my back if there is an attempt to prevaricate. I hope that all the other members of the Government will read the report of the debate and be similarly responsive.

I am grateful for the invitations to visit my hon. Friends' homes. As well as a cup of tea, I hope that something more sustaining will await me if I can accept such invitations. I welcome the debate and the enthusiasm about renewable energy. Listening to the contributions, it struck me that we are just in time to avoid Britain being crucified historically for poverty of ambition and a crippling lack of vision in respect of the future of energy, especially renewable energy. We are coming at it rather later in the day than we should be and I suspect that that is the common view of those who have participated in the debate. I am not sure about the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), but if we talked to him on his own rather than discussing matters that will be on the record, I should think that he would agree with that, too.

The Government have made gigantic strides forward, but we must do a great deal more—something that the debate will encourage us to do. I welcomed much of what the hon. Gentleman said. He is a serious student of energy policy in general and of renewable energy, but others have echoed some of my worries. I am pleased that the hon. Gentleman welcomed today's announcement. He asked about the cost of the renewables obligation. It will be about 20p a week to the average customer, which is about 3.7 per cent. on the average bill. That is small beer and, if the average customer were invited to say whether he really wanted to pay an extra 20p a week for clean, green energy, he would put up his hand with alacrity.

The hon. Member for Bognor Regis and Littlehampton questioned our ability to reach the targets that we have signed up to internationally, as did the hon. Member for Orpington (Mr. Horam). It is important to recognise that we need reductions in emissions, changes in energy use and increases in energy efficiency—a point made by many hon. Members. I am not claiming that renewables are the 100 per cent. answer to reducing emissions to the target levels to which we signed up, but they will make a significant contribution.

I did not completely understand what the hon. Member for Bognor Regis and Littlehampton said about the end of the life of the Magnox stations. He is welcome to clarify his point, if he wishes to. Is he saying that a commitment will be given in the forthcoming Conservative party manifesto for new build of nuclear power stations? Is he committing himself to continuing the enormous subsidies on which nuclear power has depended and to paying the fantastically expensive clean-up bill of billions of pounds that it leaves in its wake, which comes out of the public purse? We need to know whether that is the policy of the principal Opposition. I am not making a party point; this is an important issue for the future of nuclear policy, which has implications for the public purse. Such a project or projects would create planning problems that would cause years of disputes. One has only to consider the history of the Sizewell power station. We should be told whether the Conservative party has such intentions. The hon. Gentleman may not want to jump up now—perhaps he does not have the authority to do so—but we should be told. We shall study his remarks with great care in the coming weeks and months and during any election campaign, because voters should know whether that is Conservative party policy.

I welcome the contribution made by my hon. Friend the Member for Brighton, Kemptown (Dr. Turner). He acknowledged that no previous British Government have taken comparable action on the renewables agenda and rightly castigated the previous Government—again, I say that in a non-party context—for abandoning the research and development funding for wave and tidal stream power in 1994. Thereafter the Labour Government had to resurrect it. He is right in saying that we missed the boat on wind power—a boat in which Denmark then sailed away—and that we should not do so again. I agree with him about wave and tidal stream power, too, and about other forms of renewable energy. As he rightly said, the Department of Trade and Industry has been too slow in the past on this matter, but we are trying, and succeeding in getting up to speed.

My hon. Friend raised the issue of waste. Government policy is clear: we want to minimise waste by adopting appropriate domestic and industrial life styles and using business methods to that purpose, and to maximise reuse and recycling. That is our first principle. Secondly, we are not seeking to encourage incineration in any way but, when it is necessary and possible, it is sensible to recover the energy. I want to encourage new exciting technologies that can be linked into the waste process. After recycling has taken place, all the heavy content of waste—the metals, glass, heavy plastics and so on—might be disposed of through the new, cleaner technologies, such as pyrolysis and gasification.

Those technologies were explained to me in the constituency of my hon. Friend the Member for Harrow, West (Mr. Thomas), who invited a local business along to meet me. I was excited to hear about that alternative to incineration and want to find ways to encourage that, as it is potentially a new form of energy, the biodegradable parts of which are classified as genuinely renewable. British businesses such as the one in my hon. Friend's constituency, which may have an Australian origin but has a lot of British potential, should be given support.

Mr. Gareth R. Thomas: I welcome my hon. Friend's comments, not least because Brightstar Environmental, the company to which he refers, employs some 90 people in my constituency. As he said, it is an Australian-owned company, and I understand that it recently opened a facility with such technology in New South Wales. Will he ensure that his officials check out the facility in Australia so that we can further understand the opportunities and potential for that technology in the United Kingdom?

Mr. Hain: I certainly give my hon. Friend that undertaking. Indeed, I shall ask our high commission there to check that out and report back to me, and I shall send him any information that I believe may be of value to him.

My hon. Friend the Member for Brighton, Kemptown is a member of the Science and Technology Committee, with which I had an interesting session a few weeks ago, to which he referred. As a former Minister, the hon. Member for Orpington will know the risks that I am taking in inviting a proactive and enthusiastic report from the Science and Technology Committee to encourage the DTI and this Minister on our journey for renewables.

I have tried to answer the similar questions about waste asked by the hon. Member for Carshalton and Wallington (Mr. Brake). I agree that the planning jungle is a serious problem. We must get the balance right and meet genuine local anxieties, such as those to which my hon. Friend the Member for Bury, North (Mr. Chaytor) referred in the case of Pennine wind farms—many other examples could be cited—without completely jamming up the renewables momentum by overcomplicated and obstructive planning regulations and procedures. That is why, in the case of offshore wind, I have tried to combine all those aspects on a one-stop-shop basis in the consultation that we are currently taking forward.

Although it is not official Government policy, I agree that we should consider taking the renewables targets beyond 2010, in consultation with our international partners, especially the European Union. I am not sure whether that will be possible across the Atlantic, with the United States, but I hope that in time it will. We should seriously consider long-term future targets for renewables, and we shall try to do so through international agreement so that we make more than our proper contribution but are not, if possible, disadvantaged.

The hon. Member for Carshalton and Wallington referred to the Liberal Democrats' website. I am sure that my officials will want to study that extremely carefully in anticipation of a possible Liberal landslide and his having my job after the election. We shall certainly read that document.

My hon. Friend the Member for Harrow, West exulted in his Welsh roots, and I am delighted that he is proud of them. I welcome his call for what he called greater urgency, using the magnificent performance of the Welsh rugby team at Wembley to spur him on—which was, as the hon. Member for Orpington reminded us, only too sadly not repeated at the millennium stadium. He referred to President Bush's recent statement on Kyoto, which was devastatingly disappointing for us all. I hope that the United States Administration will reconsider the matter, because no one can opt out of their international obligations, for the simple reason that if they do, the future environmental consequences will be visited on them equally as on the rest of us.

I agree that NFFO portability is crucial, and we shall pursue it vigorously. I listened carefully to the pleas of my hon. Friend the Member for Harrow, West for joined-up government, especially with the Ministry of Agriculture, Fisheries and Food, the Department of the Environment, Transport and the Regions and ourselves, and we shall try to take that forward. We are working with the Ministry of Defence on the effect of onshore wind farms on its necessary operations.

Mr. Brake: What action is the Minister taking to push forward the renewables energy agenda among other Departments to encourage them to use that energy? They are large consumers and could make a significant difference.

Mr. Hain: Like everyone, I am aware of that issue and it is under active consideration.

The hon. Member for Orpington is also extremely well informed on the subject and I welcomed my informal hearing in front of the Environmental Audit Committee, although I do not think that my health was at its best. I agree that our past record in Britain has been pathetic, especially compared with other European Union countries. He quoted sources that said that renewable energy could, in principle, supply 100 per cent. of our energy needs, which we must bear in mind. I also take his point about the potential confusion of funding sources and undertake to write to him on that. He will be aware of our published statements on the costs, some of which I mentioned, and the subsidies and finance that we have put in. There is no attempt to double-count or pull the wool over anyone's eyes about the money that we are making available, but just in case there is a lack of clarity, I will write to him about it and copy the letter to other hon. Members and the Library.

I echo the hon. Gentleman's welcome for biomass and energy from crops, and the points that came up in that Committee hearing about farmers' need for security, especially in view of recent developments and with the BSE hangover. We will need to provide that security and set out a clear strategy for biomass that gives encouragement, because it is important for the future of the countryside as well as of renewable energy. I undertake to work with the Minister for Science, Lord Sainsbury on a point that the hon. Gentleman made during that hearing, and I would be happy to let him know the outcome.

Like several other Members, the hon. Member for Orpington mentioned photovoltaics. The £10 million contribution would be too little if that were all it was;

[Mr. Hain]

instead, it is an initial payment to get us off the ground and get a PV project going. Additional funding could then be drawn down from the new £100 million grant announced by my right hon. Friend the Prime Minister, once we know the recommendations of the performance and innovation unit study of renewable energy on how that money should be distributed to PV and other sources.

My hon. Friends the Members for Southampton, Test (Dr. Whitehead) and for Bury, North raised important questions about long-term security of supply and our dependence on oil and gas reserves from some fairly dodgy parts of the world, if I am allowed to use non-ministerial language. They are unstable areas that could hold countries such as ours in debt to them if we were not careful, which would have grave consequences for British and international security. We must take that into account in considering the future of energy policy.

My hon. Friend the Member for Southampton, Test made a brilliantly interesting speech on photovoltaics, including what he is doing in his own home. Only a few weeks ago, I had the privilege of visiting Northumbria university, which has an innovative research and development programme on PV, and my hon. Friend would be encouraged if he had the opportunity to visit to see what is being done. I agree that there is too much ignorance of PV. Light is the driving energy force. I was interested to find out from Northumbria university that, with current technology, milder weather is better for PV than hot weather, which is better for solar energy. In fact, PV would be ideally suited to the conditions of a climate such as Britain's—in Wales, of course, it is always sunny.

We have to crack the problem of bringing PV to market. That is a severe obstacle at present. The capital cost of PV equipment is high, and I was interested in the point that my hon. Friend made about the way in which mortgages could be reconfigured. We will certainly examine that within the DTI, and I will discuss it with colleagues in Government.

I refer to an interesting project in the eastern Cape of South Africa. Shell and ESKOM, the South African electricity generator, formed a partnership and put free installations into 6,000 properties in a poor township. Those residents would have had no prospect of funding that upfront capital cost. Using a prepayment meter system and some interesting software, that project has been an enormous success. That example should serve as a model: with donor nation funding, PV could be spread throughout Africa and thereby, through economies of scale, bring down capital costs and bounce them back to industrialised countries. We in Government should try to take that forward.

I was intrigued by my hon. Friend's reference to the need for more training schemes for PV plumbers. I will certainly look into that and discuss it with colleagues in the Department for Education and Employment. I am aware that Ministers are supposed to know everything, but I did not know that that was a problem. Obviously, it is something that we need to address.

My hon. Friend the Member for Bury, North called for a green industrial revolution and referred to our recent White Paper on the knowledge-based economy. Renewable energy is at the forefront in contributing to Britain becoming one of the most successful—if not the most successful—knowledge-based economies in the world. The field of energy offers the greatest scope for new scientific and technological development and knowledge-based expertise. I agree that it has the capacity to grow exponentially. My hon. Friend's words in that respect are wise indeed; sometimes, Governments are far too conservative in embracing new technologies and capacities, and make decisions that the markets judge as old-fashioned. That is true of the overall perception of the potential of renewable energy. The public is not aware of its enormous potential and the Government have a duty to drive forward research and development and to support the businesses that are taking the agenda forward.

I agree that the fuel poverty agenda is an important part of the greater energy efficiency that will help us meet our targets. I was pleased that my hon. Friend referred to fuel cells and their contribution to the agenda, especially in making the transition away from the internal combustion engine. His remarks about the manner in which fuel duty might be engineered—if I can put it that way—were intriguing, and I will ensure that the Chancellor's attention is drawn to them. For the sake of my career, I should not make any ex cathedra announcements in that respect.

The Government have supported fuel cell research and development for many years through the DTI's new and renewable energy programme and the Engineering and Physical Sciences Research Council programmes. Several British firms are already key players in that emerging international industry. We are urgently considering what further measures are needed to encourage the take-up of fuel cell and hybrid vehicles. A joint DETR-DTI consultation document on powering future vehicles is planned for June—perhaps a little later in June, who knows? A strategy on powering future vehicles will be finalised by the end of the year and will set out how the Government will support, facilitate and promote the take-up of new vehicle technologies.

The Government have also announced £9 million of new money for the DETR's new vehicle technology fund, £750,000 of which has already been allocated to allow London Transport to obtain three Daimler-Chrysler hydrogen fuel cell buses. I am therefore pleased that my hon. Friend mentioned that. We should think about his comments on the location of PV initiatives, with a possible production base in former coal communities, and about his interesting reference to west Cumbria. That is a way of taking the agenda forward to benefit areas that may need it in future—coal communities certainly need it now.

Finally, in response to my hon. Friend the Member for Stafford (Mr. Kidney)—

Mr. Gareth R. Thomas: Before the Minister moves away from the point of my hon. Friend the Member for Bury, North (Mr. Chaytor) on the green industrial revolution, I remind him that my hon. Friend talked about the rapid developments of technology and the benefits of installing PV on a range of sites. As many hon. Members have acknowledged, a crucial change is the modernisation of the industry's infrastructure. We need to take forward the recommendations of Ofgem and the DTI's working paper on embedded generation.

Could my hon. Friend the Minister respond, perhaps not now, on how the DTI will take forward that working group's recommendations?

Mr. Hain: Those recommendations are important. Fortuitously, I was speaking to the regulator Callum McCarthy about that very matter this afternoon. He is very seized of Ofgem's responsibilities and duties in that respect and is keen to take the matter forward with us, so that we get the regulatory methods as well as the infrastructure and all the other issues referred to in that report absolutely right.

In response to the points of my hon. Friend the Member for Stafford about net metering, we are making the point that the choice of whether to offer net metering is a matter for individual suppliers. At least one supplier, TXU, has already done so. Net metering, where electricity exports are purchased by suppliers at the same rate as they charge for energy consumed, is likely to result in suppliers incurring some costs—which I do not want to exaggerate. I do not want the Government effectively to force suppliers to subsidise one class of customer against another, but I want to encourage them down that road. I hope that my hon. Friend takes encouragement from that.

My hon. Friend said that our PV programme should be more ambitious. As I said, this is just a start. It would be extremely unfortunate and very difficult to defend if Britain lagged far behind, or at least was not on a similar level to, the work done in Germany and Japan. We have a great deal of catching up to do on the PV programme, and we will look at his various innovative ideas about how to support that. I will send a copy of the whole debate to the performance and innovation unit so that it can take account of all hon. Members' contributions before it makes its recommendations later this year. My hon. Friend's point about the evolution of power in his own area of Stafford is an interesting one and we will certainly look at it. Any information that he wants to bring to my attention is welcome. We should take account of his idea of case studies of clusters of best practice that other areas can draw on, for their benefit and that of the wider agenda.

I thank all hon. Members for their contributions. I believe that the debate will stand the test of time as having given an important impetus to the whole renewables agenda.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Five o'clock.

Written Answers to Questions

Monday 2 April 2001

TRADE AND INDUSTRY

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry if he will list the meetings and conferences organised by his Department and agencies of his Department which have been *(a)* cancelled and *(b)* postponed owing to foot and mouth disease; and if he will make a statement. [155365]

Mr. Byers *[holding answer 23 March 2001]:* There have been a very small number of reported occasions of which I am aware where meetings or conferences organised by my Department have had to be either cancelled or postponed owing to foot and mouth disease.

They are:

A seminar and site visit for industry to Northumbrian Water due to be held on 22 March was cancelled.

One of the series of Small Business Service (SBS) Imagine events (aimed at developing Vision and Values for Business Links and partner organisations) due to take place on 8 March in Exeter was postponed.

Visit by the Minister for Trade to the launch in Plymouth of the Objective Two Programme to support the economic and social conversion of areas facing structural difficulties on Tuesday 13 March was cancelled.

Sustainable Livestock Production LINK R&D Programme Management Committee meeting due to take place on 15 March was cancelled.

The Small Business Council open evening due to take place in Belfast on 15 March was cancelled on the advice of the Northern Ireland Executive.

Ilisu Dam

Mr. Austin: To ask the Secretary of State for Trade and Industry on what date he received the environmental impact assessment relating to the Ilisu Dam; what assessment he has made of the project; and if he will place a copy of the assessment in the Library. [156282]

Mr. Caborn: My officials at ECGD received a copy of the original Environmental Impact Assessment Report in August 1998. This report was reviewed by Environmental Resources Management in July 1999, and copies of that review are in the Library of the House. We are currently awaiting the final version of the Environmental Impact Assessment Report. We expect that a presentation on the Environmental Impact Assessment Report will be made to the export credit agencies shortly and that after this presentation the Environmental Impact Assessment Report will be made publicly available. As we are not the owners of the reports we cannot be more specific about timing.

Mercedes-Benz

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry if he will refer the decision by Daimler Chrysler UK to serve termination notices to all Mercedes-Benz dealers in the UK to the Director General of Fair Trading. [156406]

Dr. Howells: Change to the sales structure for Mercedes-Benz vehicles is a commercial decision for Daimler Chrysler UK.

The European Block Exemption on vehicle distribution outlines the procedures which suppliers must follow when terminating dealerships.

Under UK competition legislation, it is for the Director General of Fair Trading to decide whether any matter merits investigation.

Mobility Products

Mr. Burstow: To ask the Secretary of State for Trade and Industry what evidence he has collated on the use of pressurised sales methods in relation to the sale of mobility products for elderly people. [155879]

Dr. Howells *[holding answer 28 March 2001]:* My Department holds no recent evidence on this subject. The Government share concerns about the targeting of vulnerable consumers with particular sales and marketing techniques and officials in my Department have recently agreed to participate in research on the subject commissioned by Age Concern.

Postwatch

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry if he will make a statement on the role, powers and funding of Postwatch. [156275]

Mr. Alan Johnson *[holding answer 30 March 2001]:* The Consumer Council for Postal Services (or "Postwatch" as it calls itself) has been established to promote the interests of users of postal services within the framework now created by the Postal Services Act 2000. It is intended that the Council should have a central role in the new regulatory framework, monitoring service standards and acting as a focus for consumer issues and complaints.

The Act requires that the Council is consulted on key decisions including variations in the services for which licences are required, the granting and modification of licences, and the enforcement of licence conditions. The Act also requires the Council to represent (particularly to the Government, the Postal Services Commission, and licensed postal operators) the views of users, and to provide advice and information to consumers on postal matters. It is expected that the Council will seek to ensure licensed operators have effective complaints handling procedures and compensation and redress systems, and will investigate complaints which have not been satisfactorily handled by licensed postal operators. It will also monitor service quality against standards set by the Postal Services Commission and, with the Postal Services Commission ("Postcomm"), monitor and advise on the Post Office Counters network.

In accordance with a direction given under section 39 of the Act, the costs of the Council are to be recovered from licensees.

Post Office Users' National Council

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry what the total expenditure by the Post Office Users' National Council was in the financial years *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000; what the total budgeted expenditure by the Post Office Users' National Council was in 2000–01; and what the total expenditure requested by Postwatch is for 2001–02. [156273]

Dr. Howells *[holding answer 30 March 2001]:* The Annual Reports of the Post Office Users' National Council (excluding the Post Office Users' Councils for Scotland, Wales and Northern Ireland) show total expenditure of:

Year	*£*
1996–97	386,133
1997–98	402,711
1998–99	652,907
1999–2000	785,353

The Post Office Users' National Council's Annual Report for financial year 2000–01 will be laid before Parliament in the usual way in the summer.

I have agreed a budget of £6.9 million for Postwatch for financial year 2001–02. This includes provision for Postwatch's regional structure including its new regional committees in Scotland, Wales and Northern Ireland.

Economic and Physical Regeneration

Mr. Drew: To ask the Secretary of State for Trade and Industry in what ways the region by region allocation of his Department's funds for economic and physical regeneration initiatives is influenced by the availability of previously developed land and buildings. [156196]

Mr. Caborn *[holding answer 30 March 2001]:* In making the DTI's allocations from the Regional Innovation Fund to the Regional Development Agencies, full account was taken of their regional economic strategies. These followed the guidance issued by government on the use of brownfield land and sites. In particular, the Regional Innovation Fund took into account the wealth of each region, unemployment and relative levels of R&D expenditure.

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the London Borough of Southwark, the effects on the London Borough of Southwark of his Department's policies and actions since May 2 1997. [155975]

Mr. Caborn: The London Borough of Southwark has benefited from a range of initiatives since May 1997. Direct business advice and support to small and medium sized enterprises (SMEs) has been provided by the DTI through core programmes and the Business Links. While my Department does not collect detailed statistical information on a borough basis, over 2,900 requests for advice, information and support from SMEs in Southwark have been handled by the Business Links since May 1997.

During the same period, grants totalling over £127,000 have been awarded to SMEs for innovation and technology under the Smart scheme and a contribution of £67,000 was made towards a TCS programme for a small software company.

All wards in the constituency are eligible for the Enterprise Grant Scheme which was introduced in 2000.

Departmental Policies (Luton, South)

Ms Moran: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of his Department's policies and actions since 2 May 1997. [156163]

Mr. Caborn: The Department does not maintain statistical information at constituency level.

My hon Friend's constituents, like many others throughout Bedfordshire, will have benefited from my Department's Employment Rights policies which include the National Minimum Wage, Working Time Directive, Part Time Working Regulations and improved Maternity Leave.

In addition, the wards of Biscot, Crawley, Dallow, Farley, High Town, South and Stopsley are eligible for Regional Selective Assistance and the Enterprise Grant Scheme.

In the East of England region, my Department's policies have contributed to growth in employment by 105,000 and a fall in unemployment by 44,908; reductions in youth employment (under 24) by 43.3 per cent. and long-term unemployment (over 26 weeks) by 65.4 per cent.

In the constituency of Luton, South there has been a drop in unemployment by 2.1 per cent. (1,143 people), a reduction in youth unemployment (under 24) by 42 per cent. and a reduction in long term unemployment (over 26 weeks) by 59.3 per cent.

New Deal

Mr. Rowlands: To ask the Secretary of State for Trade and Industry how many people have been employed in his Department and its agencies under the New Deal Scheme. [156888]

Mr. Byers: The number of New Dealers employed within my Department and its Executive Agencies since the programme began is 69.

Paypoint Terminals

Mr. Todd: To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that sub-postmasters have the right to have Paypoint terminals on their premises. [156516]

Mr. Alan Johnson: This is an operational matter for the Post Office Network. However, I understand from the Post Office that Paypoint, as a bill payment network provider, competes directly with the bill payment facilities offered by post offices.

In order to protect the sustainability of the network, particularly in rural areas, it is Post Office Network commercial policy not to permit sub-postmasters to offer,

through their private business, products or services that compete with the core business activities of their post office, such as the bill payment service.

Defence Exports

Mr. Wilkinson: To ask the Secretary of State for Trade and Industry what criteria he uses in determining the eligibility of exporters of defence equipment for ECGD cover for the sale of their manufactures overseas. [156477]

Mr. Caborn: ECGD assesses the risks associated with underwriting defence business in the same way as for equivalent civil business. Where an export licence is required, it is a pre-condition of ECGD cover.

Hollis Industries

Mr. Baker: To ask the Secretary of State for Trade and Industry (1) for what reason the conclusions of the report by Hugh Aldous delivered to his office on 12 December 1999 were not communicated to the Parliamentary Commissioner for Standards; and if he will list the hon. Members who were informed of the conclusions of the report and the dates on which they were informed; [154853]

(2) if he will make a statement on his actions relating to the allegations contained in the *Daily Mail* on 19 March in respect of his official responsibilities. [154952]

Mr. Lilley: To ask the Secretary of State for Trade and Industry (1) if he informed the hon. Member for Coventry, North-West (Mr. Robinson) of the contents of the report on Hollis Industries; [155838]

(2) if he received and read the Section 447 report on Hollis Industries. [155840]

Mr. Byers *[holding answer 22 March 2001]:* The following statement was issued by my Department on 23 March 2001:

"The following statement sets out the facts in relation to the conduct of the 1999 investigation into companies associated with Geoffrey Robinson (principally Hollis Industries plc) and the involvement of Stephen Byers.

In the light of allegations made about the activities of Geoffrey Robinson and companies associated with him, a decision was taken by officials of the Department of Trade and Industry on 12 January 1999 to conduct an investigation under section 447 of the Companies Act 1985.

The decision to conduct an investigation under section 447 of the Companies Act 1985 was taken in accordance with the Department's normal procedures when such allegations are made. Informal inquiries into these matters had been earlier undertaken by the Department itself, and it was now decided to go beyond this to the appointment of an independent investigator under section 447. A section 447 inquiry is essentially fact finding and carried out in confidence. Depending on the outcome of the investigation, further action could be taken for example to launch a more wide ranging investigation under section 432. The Department did not consider the appointment of inspectors under section 432 was justified at this stage: section 432 inspections are rare, and are undertaken in respect of alleged major frauds or irregularities.

This decision was taken by officials in accordance with the Department's normal procedures, and because on 8 January 1999 Stephen Byers had been advised by Sir Michael Scholar that neither he nor any of his Ministerial colleagues should be involved in the inquiries into companies associated with Geoffrey Robinson, or in any decisions that needed to be taken, but that this matter should be delegated to officials. Stephen Byers accepted this advice.

On 9 December 1999, officials informed Stephen Byers that the inquiries into companies associated with Geoffrey Robinson had been completed; that no further action was to be taken; and that Geoffrey Robinson, through his solicitors, had already been informed of this outcome.

Because Stephen Byers had taken the advice of his Permanent Secretary and decided that he should not be involved in the inquiries, at no time did he see any papers or other documents obtained by the Department during the course of the inquiries.

On 21 December 1999, Parliament was informed of the outcome when Stephen Byers replied to a Parliamentary Question from Ian Pearson MP about the progress of the Department's inquiries into Hollis Industries with the answer

> 'There have been thorough inquiries in line with the Department's normal procedures in these matters. These inquiries have now been completed and the solicitors acting for my hon. Friend the Member for Coventry, North-West (Mr. Robinson) have been informed that the Department does not propose to take any further action.'

In line with the practice under successive administrations, no papers or documents arising from the inquiry were published because information obtained under section 447 of the Companies Act is confidential and may not be published or disclosed except in strictly defined circumstances under section 449 of the Companies Act 1985.

The way in which the inquiry was conducted was in accordance with the usual procedures for investigations under section 447 of the Companies Act 1985. Over 200 such inquiries are carried out every year in this way. The Department throughout has acted wholly in accordance with its normal procedures, notwithstanding the fact that the business affairs of a former Minister were being investigated."

I also wrote to the right hon. Member for Wells (Mr. Heathcoat-Amory) on the same day in the following terms:

"Thank you for your letter of 21 March 2001.

I attach a copy of a statement made by my Department, setting out the facts in relation to my involvement in the conduct of the 1999 investigation into companies associated with Geoffrey Robinson (principally Hollis Industries plc).

I hope this answers the points raised in your letter. But the key facts which concern my role are as follows.

Acting on the advice of Sir Michael Scholar, I ruled myself out of involvement in the inquiries into companies associated with Geoffrey Robinson and any decisions that needed to be taken; the matter was delegated to officials.

Had I not taken this advice, and insisted on playing a personal role in the investigation then I am sure you would have been amongst the first to question such a decision—and rightly so.

Officials decided to appoint an independent investigator under section 447 of the Companies Act 1985. I saw no papers or documents arising from the inquiry. I am not nor ever have been in possession of or seen a report into the affairs of Hollis Industries plc. I had no role in the decision to take no further action as a result of the inquiry.

My role was limited to that of responding to Parliamentary Questions and dealing with correspondence from Parliamentary colleagues, in accordance with my duties as a Minister".

Mr. Lilley: To ask the Secretary of State for Trade and Industry if he plans to designate under section 449 1(c) of the Companies Act 1985, the Parliamentary Commissioner for Standards as a public authority to whom the report on Hollis Industries plc can be disclosed. [155841]

BEST COPY AVAILABLE

Mr. Byers *[holding answer 27 March 2001]:* I am advised that as the law and facts stand, there is no gateway under the Companies Act 1985 which would allow information obtained under the section 447 investigation in relation to Hollis Industries plc to be disclosed by my Department to the Parliamentary Commissioner.

I am presently considering the general issue of access to information obtained under section 447 of the Companies Act 1985 being made available to the Parliamentary Commissioner for Standards and the legal procedures which would be necessary to enable this to happen. I would hope to be able to make a statement on this shortly.

On the specific issue of the disclosure of documents or information obtained under section 447 in relation to Hollis Industries plc, my Permanent Secretary has written to the Parliamentary Commissioner for Standards suggesting how other people, bodies or institutions who are not constrained in the same way as my Department by section 449 of the Companies Action 1985 may be able to provide documents or information which will assist the Commissioner in her investigation.

Mr. Lilley: To ask the Secretary of State for Trade and Industry what plans he has to establish how information in the report on Hollis Industries was published in the *Daily Mail*. [155842]

Mr. Byers *[holding answer 27 March 2001]:* The *Daily Mail's* sources are a matter for the newspaper.

Daily Mail Allegations

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will make a statement on the legal action being taken by him concerning allegations made in the Daily Mail on 19 March; and what estimate he has made of the cost to public funds of this action. [154953]

Mr. Byers *[holding answer 22 March 2001]:* I have engaged the solicitors Goodman Derrick to act on my behalf in response to the *Daily Mail* allegations made on 19 March. These allegations relate entirely to my conduct as Secretary of State of Trade and Industry. In line with Treasury advice published in response to a Public Accounts Committee Report in 1993 which states that

> "it is appropriate to use public resources to deal with matters arising in the course of, or as a direct result of, the officials duties of Ministers and civil servants", the reasonable costs of my present action will be funded publicly.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Byker Incinerator

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many employees have worked at the Byker incinerator in each year since 1979. [155381]

Mr. Meacher *[holding answer 23 March 2001]:* The Health and Safety Executive do not hold the requested information and do not have the power to obtain the information for this purpose. It is therefore unavailable. The hon. Member would be best advised to approach Byker directly to gain the figures he asks for.

Litter/graffiti Fines

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will seek to amend the law to permit local authorities to retain fines levied on people *(a)* dropping litter and *(b)* responsible for graffiti. [155439]

Mr. Hill *[holding answer 26 March 2001]:* Under the local Public Service Agreement pilot, the DETR has agreed that two local authorities, Middlesbrough and Stockton-on-Tees, can be paid grants equal to the Fixed Penalty Notice (FPN) income they collect for litter offences to offset their costs of providing enforcement services. If the pilot trial demonstrates improvements in the levels of cleanliness in these authorities, consideration will be given to extending this provision to other local authorities.

There are no plans at present to make fines income from graffiti cases payable to local authorities: local authorities have the opportunity to apply to the courts for compensation for damage in the usual way.

Railway Network

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have for enhancements to the railway network. [156325]

Mr. Prescott: Following decades of under-investment, our 10-year plan stresses the need to enhance the rail network to accommodate passenger and freight growth with less passenger overcrowding and better punctuality and reliability.

At the same time, it is necessary to improve the day-to-day maintenance and renewal of the core network.

I have reached agreement in principle with Railtrack on the rephasing of some £1.5 billion of grants. This brings forward money already allocated under the Rail Regulator's review of access charges. In addition to delivering long-term savings to the taxpayer, this agreement provides the basis for a new relationship between the company and Government, including a commitment from Railtrack to proceed to appoint a non-executive director to its main Board with a remit to provide a powerful public and consumer voice. The agreement has been enshrined in an agreed general Statement of Principles published today, copies of which are being placed in the Library of the House.

Railtrack has agreed that the immediate financial implications of last October's tragic accident at Hatfield should fall on its shareholders. It has also agreed that one of the lessons from Hatfield is that it needs to give more attention to the management of the core rail network.

To progress the enhancements, this means bringing in third party finance and project delivery skills to supplement Railtrack, through public-private partnerships. The Strategic Rail Authority has today committed a new joint venture project finance and delivery vehicle for the East Coast Main Line upgrade, which will provide valuable new passenger and freight capacity on this key route.

At the same time, the Government have made available to the SRA an additional £155 million over the next two years to enable it to meet its commitments in taking forward the 10-year plan.

The SRA is continuing its programme of franchise renewal to bring benefits to passengers through more frequent services, longer trains and new rolling stock. They are today announcing progress on the East Coast Main Line, South West Trains and Chiltern franchises.

I have also reached agreement to secure the funding and construction of the second and final stage of the Channel Tunnel Rail Link from North Kent to London's St. Pancras Station. This agreement provides for Railtrack to be the operator of the whole line, but for the construction of Section 2 to be funded and overseen by London and Continental Railways, in a new risk sharing arrangement with the project management company, Bechtel.

Trees (M6)

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions (1) what specialist advice the Highways Agency used in reaching its decision to cut down trees between the M6 motorway and Devon Way at Stafford on 8 March; [156327]

(2) if he will instruct the Highways Agency to consult with local residents over its plans for planting trees and shrubs at Devon Way, Stafford. [156328]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Tim Matthews, to write to my hon. Friend.

Letter from Tim Matthews to Mr. David Kidney, dated 2 April 2001:

The Transport Minister, Keith Hill, has asked me to reply to your two Parliamentary Questions about the removal of trees and proposed new planting on land between the M6 and Devon Way, Stafford.

The trees were cut down on the advice of aboricultural consultants, working for our managing agent, and our own horticultural specialist. On the same basis, we are shortly to recommence the removal of other unsafe trees and prune branches overhanging gardens in Devon Way. This latter action is in response to requests, including a petition, from many local residents.

It is intended to undertake further pruning, thinning and replanting in the autumn, after the nesting season, and we will consult adjoining residents in advance.

If you would like any additional information please contact Peter Adams at our Birmingham office. His telephone number is 0121 678 8215.

Driving Tests

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has received from the European Commission for motorists to retake driving tests at the age of 50 years. [156370]

Mr. Hill: The European Commission is known to be considering making proposals for a Third Council Directive on driving licences. The proposals are yet to be published and we are unclear about what they contain.

Regional Chambers and Assemblies

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* male and *(b)* female members there are on each of the regional chambers and assemblies. [156254]

Ms Armstrong: Following is a table showing the gender balance of each regional chamber or assembly, as of 28 March 2001.

Chamber	*Male*	*Female*	*Vacancies*
South East Regional Assembly	96	15	—
North East Regional Assembly	51	11	1
North West Regional Assembly	64	15	1
Yorkshire and the Humber Regional Chamber	25	9	1
East Midlands Regional Assembly	88	23	—
West Midlands Regional Chamber	54	11	—
South West Regional Assembly	68	17	—
East of England Regional Assembly	30	11	—
Total	476	112	3

Highways Agency

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what the *(a)* budgeted running costs, *(b)* staff numbers and *(c)* expenditure were in 2000–01 for the regional offices of the Highways Agency. [156228]

Mr. Hill: The question relates to operational matters within the Highways Agency. I have accordingly asked the Chief Executive, Mr. Tim Matthews, to write to my hon. Friend.

Letter from Tim Matthews to Mr. Austin Mitchell, dated 2 April 2001:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent Parliamentary Question about budgeted running costs, staff numbers and expenditure in 2000–01 for the regional offices of the Highways Agency.

The Agency's running cost budgets are allocated and monitored primarily by function, but we will undertake some work to transform these to a regional basis for you. On expenditure, we will not be able to supply you with the final position for 2000–01 until early April.

I am sorry not to be able to provide the information you requested immediately but I will aim to give you a full response within 15 working days.

Radioactive Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what representations his Department has received concerning the European Union COWAM project on the decision-making process for radioactive waste repository siting. [156373]

Mr. Meacher: The National Radiological Protection Board has contacted my officials to discuss the timetable for the COWAM research project in relation to my Department's forthcoming consultation exercise on radioactive waste management.

COWAM is an EU project on public participation in nuclear siting decisions, which will suggest methods of improvement to the decision-making process for siting radioactive waste management facilities. While the

Government are content to liaise with the NRPB and its project partners, it is not promoting the use of repositories as the UK waste management option.

Mobile Phones (Drivers)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to ban the use of hand-held mobile phones by drivers while their vehicles are moving. [156187]

Mr. Hill: At present the Government share the view of the Association of Chief Police Officers that current road traffic legislation provides sufficient powers to enable the police to prosecute irresponsible drivers. However, as promised in its Road Safety Strategy "Tomorrow's roads—safer for everyone", the Government will keep the need for specific legislation under review.

Best Value Plans

Mr. Gapes: To ask the Secretary of State for the Environment, Transport and the Regions what monitoring his Department carries out of the level of public inquiries received by local authorities about the indicators and targets in local best value plans. [156443]

Ms Armstrong: This information is not collected centrally. It is for local authorities themselves to promote and monitor the level of public interest in their performance. The Department has commissioned general research to assess the effectiveness of the new best value regime, which will include the way in which local authorities engage with their communities.

Sellafield MOX Plant

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the application by BNFL to open a MOX plutonium fuel production plant at Sellafield. [156399]

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for further consultation on the economic viability of the Sellafield MOX plant; and if he will make a statement. [156666]

Mr. Meacher: I refer my hon. Friends to my answer of 28 March 2001, *Official Report*, columns 629–30W.

Mr. Gibb: To ask the Secretary of State for the Environment, Transport and the Regions when he will reach a decision on the future of the Sellafield MOX plant. [156643]

Mr. Meacher: I refer the hon. Member to my answer of 28 March 2001, *Official Report*, columns 629–30W.

The Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Health will reach a decision as soon as possible after all relevant information has been considered.

Railway System

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what the cost to public funds was of *(a)* the railway system in the last year of public ownership and *(b)* the subsidy paid each year since privatisation (i) in total and (ii) to Virgin Trains Ltd. [156725]

Mr. Hill: In 1993–94, the last full year before the British Railways Board was restructured in preparation for privatisation, the Board's total external finance requirement was £1,461 million. The railway industry was progressively privatised over the following three years, during which period total Government support was:

Cash prices £ million

	Central Government grants	*Other elements of Government support*	*Total Government support excluding PTE grants*
1994–95	1,815	−464	1,497
1995–96	1,712	−1,643	231
1996–97	1,809	−1,044	775

Virgin Trains Ltd. commenced operation of its CrossCountry franchise on 5 January 1997 and its West Coast Trains franchise on 9 March 1997. Since 1997–98 (the first full year of franchised operations), Support for Passenger Rail Services (SPRS) paid by the Franchising Director has been:

Cash prices £ million

	SPRS paid to all train operating companies	*Including: SPRS paid to Virgin Trains Ltd.*
1997–98	1,425	193
1998–99	1,196	172
1999–2000	1,033	146

Groundwater Directive

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions in the forthcoming review of the EU Groundwater Directive, if he will apply for derogations for *(a)* the burying of fallen stock in the event of the present foot and mouth crisis and *(b)* general disposal of fallen stock; and if he will make a statement. [156439]

Mr. Meacher: The review of the Groundwater Directive under the Water Framework Directive is not yet under way, and therefore is unlikely to be negotiated on a timescale relevant to the foot and mouth outbreak. However, the existing Groundwater Directive is intended to protect groundwater sources. The current foot and mouth outbreak does not reduce this need but does require speedy investigation and authorisation of burial sites. The Environment Agency is operating such a procedure and is cooperating closely with MAFF.

Home Energy Efficiency

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many homes have benefited from the home energy efficiency scheme in Shrewsbury and Atcham; and if he will make a statement. [156511]

Mr. Meacher: The number of households in Shrewsbury and Atcham benefiting from the Home Energy Efficiency Scheme (HEES) since its introduction in 1991 is 5,219. Of this figure, 168 households have received measures since the introduction of new HEES.

The new HEES for England was launched on 1 June 2000. It replaced the more basic scheme, which had operated since 1991, providing low income and disabled households with a single insulation improvement such as window and door draught-proofing.

New HEES provides packages of insulation and heating measures, linked to the condition of the property and the type of householder. To provide these packages the grant maximum has been raised from the previous £315 to up to £2,000 in the case of low-income households aged 60 years or more. The latter may also receive a package of basic security measures, funded through the Home Office 'Locks For Pensioners' initiative, if they live in an area experiencing above the national average burglary rate for England.

Two regional scheme managers manage the scheme. They are responsible for marketing the scheme and surveying homes to identify the improvements required. Once these are agreed with the householder, a works order is placed with local contractors.

Train Services (Shrewsbury)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the ways in which the Strategic Rail Authority proposes to improve the *(a)* frequency and *(b)* quality of train services between Shrewsbury and London. [156567]

Mr. Hill: The Strategic Rail Authority is in active discussion with local stakeholders about through services from Shrewsbury to London. A number of options which are emerging from franchise replacement are being considered. These will be assessed on a value for money basis.

Fuel Poverty

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many people lived in fuel poverty in Shrewsbury and Atcham *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [156509]

Mr. Meacher: The common definition of a fuel poor household is one that needs to spend in excess of 10 per cent. of household income in order to maintain a satisfactory heating regime.

Data on the number of households living in fuel poverty are derived from the English House Condition Survey, which is carried out every five years. The Survey allows estimates to be made of the number of fuel poor households at a regional level, but not at local authority level.

Using data from the latest English House Condition Survey (1996), the table shows the effect of different options for calculating household income on the number of households defined as fuel poor in the West Midlands Government Office region in 1996[1].

	West Midlands Government Office region (Thousand)	*England (Million)*
(a) Income including Housing Benefit and Income Support for mortgage interest	550	4.3
(b) Income excluding Housing Benefit and Income Support for mortgage interest	640	5.3

[1] Assumes fuel costs include those for non-heating purposes.

Since the last English House Condition Survey, the Government have implemented a range of measures that have reduced the number of fuel poor households in England by an estimated 1 million between 1996 and 1999.

Further measures to end the blight of fuel poverty for vulnerable households by 2010 are set out in the Government's Fuel Poverty Strategy, which was published for consultation on 23 February 2001.

Mr. Davidson: To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made to combat fuel poverty among pensioners. [156574]

Mr. Meacher: On 23 February 2001, the Government published its Fuel Poverty Strategy for consultation. The Strategy sets out our commitment to end the blight of fuel poverty for vulnerable households—which includes pensioners on low incomes—by 2010.

The Government have already taken action to tackle the main causes of fuel poverty—low income and poor energy efficiency—to help those suffering from fuel poverty.

The Winter Fuel Payment, which has been increased to £200 for this winter, will help many older households in, or at risk from, fuel poverty. For the poorest pensioners we have introduced the Minimum Income Guarantee, which is already helping 1.6 million pensioner households.

We have also reduced the level of VAT on fuel and on the installation of energy saving materials, so that people can more easily afford to keep warm. Further reductions in energy bills have resulted from the reform of the energy market.

But the permanent solution is to provide better insulation and heating. We have made available substantial additional capital funds for housing investment by local authorities. We have also launched our radical new Home Energy Efficiency Scheme (HEES). The scheme now provides grants for packages of heating and insulation improvement measures, including high efficiency central heating systems for low-income households aged 60 years or more. With a budget of over £600 million, HEES is expected to have reached some 800,000 vulnerable households by 2004, 480,000 being over-60s.

In addition, the Energy Efficiency Standards of Performance schemes (EESOPs) run by the energy suppliers have been doubled to some £50 million a year. Around two-thirds of this help is going to pensioner and

low-income families. From 2002, the Government are proposing to increase the scale of the scheme to around £150 million a year, continuing its focus on disadvantaged consumers.

As this is a devolved matter, it is the responsibility of the respective Parliament and Assemblies to comment on the situation in Scotland, Wales and Northern Ireland.

Regional Funding

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how much European Union regional funding aid has been made available to London since 1997; and if he will make a statement. [156700]

Ms Armstrong: The table gives details of European Regional Development Funding (ERDF) and European Social Funding (ESF) made available in the London region from 1997:

£ million

	ERDF	*ESF*
Objective 2	48.980	15.709
Konver II	7.198	1.068
Retex	0.460	0.105
Urban Heart of the East End	4.340	0.928
Urban Park Royal	4.135	0.974
SME Community Initiative	1.318	0.254
Objective 3	0	165.000
Objective 4	0	16.000
Total	66.431	200.038

A further £560 million of ERDF and ESF is being made available in the London region for the new round of Objective 2 and 3 programmes (2000–06).

Public Open Space

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his policy on public open space in inner-city areas; and if he has decided to call in the extension of a bus depot on to public open space at Stalyford, Newcastle. [156468]

Ms Armstrong: The Government believe that everyone should have access to good quality open space close to where they live, and attach high importance to their retention in urban areas. Our Urban White Paper: "Our Towns and Cities: The Future" sets out a range of measures for improving the quality of urban parks and green spaces, including the setting up of the Urban Green Spaces Taskforce. On 21 March we issued, for consultation, "Revised Planning Policy Guidance note 17: Sports, Open Space and Recreation." The guidance provides a clearer framework for improving provision of open spaces and ensuring such spaces are better protected from development.

No decision has been taken in relation to the application to extend the bus depot in Stalyford, Newcastle.

Asbestos

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions (1) what recent assessment he has made of the health and safety implications connected with the use of asbestos in the brake systems of London Underground trains; [156559]

(2) what recent assessment he has made of the quantity of asbestos utilised in the brake systems of London Underground trains. [156560]

Mr. Hill: This is an operational matter for London Underground who inform me that there is no asbestos in the brakes used on London Underground trains.

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155979]

Ms Armstrong: The principal funding that this Department has provided to the London borough of Southwark is shown in the table. This includes grants and borrowing approvals for revenue and capital expenditure.

£

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]
Revenue Support Grant[2]	176,612,000	181,475,000	192,015,000	193,464,000	205,566,000
Income from national Non-Domestic Rates[2]	50,648,000	52,327,000	56,862,000	64,389,000	63,936,000
Housing Investment Programme	20,129,000	27,752,000	29,229,000	45,946,000	52,921,000
Housing Revenue Account Subsidy	130,861,916	122,044,327	115,504,573	[3]117,290,559	n/k
Capital Receipts Initiative	3,224,337	11,386,000	12,088,000	n/a	n/a
Cash Incentive Scheme	3,253,000	2,029,000	n/a	n/a	n/a
SRB Funding	15,979,290	16,105,921	11,868,091	10,017,991	[4]6,865,558
New Deal for Communities Funding	n/a	13,050	545,024	367,218	1,509,623
Neighbourhood Renewal Funding	n/a	n/a	n/a	n/a	1,978,000
Transport Supplementary Grant	325,000	279,000	230,000	0	—
Transport Annual Capital Guideline	325,000	279,000	230,000	0	—
Transport Block Supplementary Credit Approval	2,141,000	2,536,000	3,409,000	[5]1,996,000	n/k
Capital Challenge (Supplementary Credit and Basic Credit Approvals)	1,983,000	4,182,000	4,195,000	n/a	n/a

[1] Where known

[2] The figures for all Settlements prior to 2001–02 are unadjusted for transfers of services. Authorities are responsible for a slightly different mix of services this year compared to previous years. Consequently a comparison based on last year's actual grant figure would not form the basis of an accurate comparison.

[3] Provisional figures

[4] Projected

[5] As at 28 March 2001

Single Regeneration Budget (SRB)

1. Peckham Partnership (SRB Round 1)

The Peckham Partnership is a Round 1 SRB scheme, and the largest to have been approved to date. The scheme is currently in its sixth year of operation.

The majority of funding has been spent on the physical renewal of the notorious 1960s built 'Five Council Estates' in the Liddle Ward of Peckham, originally covering a residential population of 11,000. A large scale programme of decanting, demolition, refurbishment and re-build has led to a demonstrable improvement of the physical appearance of the area, leading to improved levels of resident satisfaction and improved community safety resulting from changes in estate layout and street-scape. The Partnership has also achieved its aim of increased housing tenure mix, with the success of the first phase of the homes for sale (open market and shared ownership) hailed as a particular success, particularly in attracting local people to stay in the area.

2. Greater Peckham Alliance (SRB Round 6)

Following on from the mainly physical renewal work of the Peckham Partnership and the desire by the local community to work with statutory agencies to improve the social and economic fabric of the area. The Greater Peckham Alliance (GPA), a newly formed community based partnership, has successfully secured funding under SRB Round 6.

The main purpose of the GPA is to initiate a range of capacity building projects, build community involvement and commission community-led projects with the central aim of improving local residents educational attainment and economic status plus developing the social fabric of the overall community in Peckham.

3. Aylesbury Plus Initiative, Southwark (SRB Round 4)

This is a six-year scheme that aims to improve the overall physical and social conditions on the Aylesbury estate through a package of education, training, employment and community safety measures. The scheme builds on Southwark's experience of major regeneration work in the nearby Peckham Partnership area and will therefore input into the wider regeneration of this part of the borough. Housing problems will also be tackled.

4. Southwark Campaign Against Hate Crime (SRB Round 6)

Led by the London borough of Southwark, the purpose of this seven year programme is to develop and resource a resilient and sustainable integrated community based approach to the reduction of hate crimes in Southwark—acts of violence and abuse motivated by prejudice. This will include fully resourced services for victims and challenging interventions with offenders, to secure improved social cohesion and ongoing regeneration of the borough.

5. Elephant Links (SRB Round 5)

Led by the London borough of Southwark the purpose of the programme is to catalyse major commercial and public investment and release potential sustainable local regeneration in the Elephant and Castle area.

6. Cross River Partnership—Southwark (SRB Round 2 & 3)

The London borough of Southwark is one of the four accountable bodies for the early Cross River Partnership schemes, the others being the London borough of Lambeth, the City of Westminster and the South Bank Employers' Group (which comprises private and public sector employers in the South Bank area of both Lambeth and Southwark). The Partnership comprises these four bodies together with the Corporation of London, Railtrack, Focus TEC, Groundwork, TfL, PLA and the LTB. CRP's overall objective is:

"to improve and protect the environment of the Cross River area, reinforce London's status as a world class centre for leisure, the arts and business, offer education and training and create job opportunities for local people and improve the quality of life for those who live, work and visit the area".

Local Authorities (Members Allowances)

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of variations in the level of members allowances in local authorities with a population of over 100,000; and if he will publish this information. [156687]

Ms Armstrong: This information is not held centrally, and no assessment has been made.

Genetically Modified Organisms

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions how many inspections have been made of the releases of GM crops involved in the farm-scale evaluations; and how many breaches of the consent conditions have been detected. [156462]

Mr. Meacher: Forty four inspections have been undertaken of farm-scale evaluations sites in England. No breaches of consent have been detected.

Local Authority Publicity

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to issue alterations to the Code of Recommended Practice on Local Authority Publicity; and if he will make a statement. [156819]

Ms Armstrong: We have today issued, to all county councils, district councils and London borough councils in England, alterations to the Code of Recommended Practice on Local Authority Publicity, a draft of which was laid before the House on 15 February 2001. These alterations reflect the new council constitutions and the introduction of referendums and petitions under the Local Government Act 2000.

As announced by my hon. Friend, the Parliamentary Under Secretary of State on 15 February 2001, *Official Report*, column 220W, we also intend in the future to review further the Code, having regard to councils' experiences of operating their new constitutions over a reasonable period of time. This further review will also cover the Code's application to those authorities—such as police authorities—which are not adopting new constitutions.

A copy of the alterations have been placed in the Library of the House.

British Waterways Board

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the external financing limit for the British Waterways Board. [156854]

Mr. Robert Ainsworth: The 2000–01 External Financing Limit for the British Waterways Board will be increased by £3,680,000 from £61,240,000 to £64,920,000. £3,130,000 has been made available to help the Board meet increased costs associated with recent flooding. £550,000 will enable them to carry out additional major repairs to the canal network. These costs will be funded by an increase in grant-in-aid to the Board arising from savings on Class III, Vote 3 and from transfers from the non-voted element of DETR's main DEL.

Street Works

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions when he will activate powers under section 74 of the New Roads and Street Works Act 1991 to allow highway authorities to charge utilities whose works overrun. [156855]

Mr. Hill: Regulations activating the powers under section 74 of the New Roads and Street Works Act 1991 to allow highway authorities to charge utilities whose works overrun came into force on 1 April. We will be monitoring very closely the effect which the new powers have on the level of disruption to road users caused by street works. We have made clear that if it becomes apparent that these have not led to a sufficient reduction in disruption, then the Government are prepared to introduce further measures to address this problem.

We are also issuing today two related publications. The first of these—"Best Practice in Street Works and Highway Works"—is designed to encourage utilities and highway authorities carrying out works in the street to make sure that these are completed speedily and to a high standard. Copies are being sent to every utility and highway authority. The other—a revision of the existing "Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters" is intended, among other things, to ensure that works carried out by different bodies are co-ordinated effectively, so as to minimise disruption.

Foot and Mouth

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to provide compensation for *(a)* zoos which are forced to close as a foot and mouth disease precaution and *(b)* supplies of goods and services to zoos. [156582]

Mr. Meacher: I recognise that some Zoos, in common with other enterprises relying on visitor income, have been badly affected by the impact of foot and mouth disease and our first priority is to encourage visitors to return, where it is safe to do so. Zoos, together with other affected businesses can benefit from the package of short term measures which I announced on 20 March 2001, *Official Report*, columns 191–210, including the deferral and rearrangement of payments to Customs, Inland Revenue and of business rates. The Rural Task Force is continuing to look at the scope for additional measures to help rural businesses severely affected by the economic impacts of foot and mouth disease.

Garage Fuels

Mr. Simon Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what the chemical content is of *(a)* ultra-low sulphur fuels and *(b)* other types of fuels used in UK garages. [156351]

Mr. Hain: I have been asked to reply.

Four main types of fuel are sold at UK garages. These are 95 octane unleaded petrol, 97 octane unleaded petrol (superunleaded), lead replacement petrol (LRP) and diesel (DERV).

The technical requirements for these fuels, including chemical composition, are covered by the European Fuels Directive 98/70/EC, as transposed into UK law by the Motor Fuels (Composition and Content) Regulations 1999. The fuels also meet the requirements of the following British Standards: for 95 octane unleaded, BS EN228:2000, for 97 octane unleaded BS 7800:2000, and for DERV BS EN 590:2000.

Ultra-low sulphur fuels are required to meet the following additional requirements: for petrol of any type listed above a maximum sulphur content of 50ppm as opposed to 150ppm allowed in 98/70/EC, and a maximum aromatics content of 35 per cent. vol. as opposed to 42 per cent. in 98/70/EC, for diesel fuel a maximum sulphur content of 50ppm as opposed to 350ppm allowed in 98/70/EC, and a maximum density of 835 kg/m3 as opposed to 845 kg/m3. The requirements for autogas (LPG), which is now available at nearly 700 sites around the UK, are covered by BS EN 589:2000.

Correspondence

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when the Minister for the Environment will answer the letter of 14 March from the hon. Member for North Essex, concerning discretionary powers for highway authorities to close roads to prevent the spread of foot and mouth disease. [156276]

Mr. Meacher: I will reply to the hon. Member's letter very shortly.

DEFENCE

Hercules W. Mark II

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the future of the 'Snoopy' Hercules W Mark II aircraft at Boscombe Down. [156004]

Dr. Moonie *[holding answer 29 March 2001]:* The 'Snoopy' aircraft, although owned by the Defence Evaluation and Research Agency (DERA), has been used exclusively for research trials by the Met Office using RAF crews. The current contract with the Met Office expired on 31 March 2001, after which DERA has a short term contract with the Met Office for the controlled removal of their equipment. In parallel DERA is actively seeking alternative customers for the aircraft. The situation will be reviewed in March 2002.

From July 2002 the Met Office will carry out the meteorological research role, currently performed by the DERA Hercules, in partnership with the Natural Environmental Research Council and University of Manchester Institute of Science and Technology, using a British Aerospace 146–300 region jet operated by British Aerospace Systems from Woodford, Manchester.

Defence Aviation Repair Agency

Mr. Andy King: To ask the Secretary of State for Defence if he will make a statement on the future of the Defence Aviation Repair Agency. [156889]

Mr. Spellar: When my predecessor announced the creation of the Defence Aviation Repair Agency (DARA) as a Defence Agency, with effect from 1 April 1999, he stated the intention to move the organisation to Trading Fund status as soon as practicable. Following the approval

by this House and the enactment of the requisite Statutory Instrument, DARA will now become a Trading Fund from 1 April 2001.

In allowing DARA to move to Trading Fund status, we untie it from the Vote funding system. DARA will now be able to earn revenue directly from its customers and reinvest its trading surplus in new plant or machinery to meet its customers' requirements.

Customers will now have a clear and transparent pricing structure that will allow them to choose the services that offer the best value for money while helping to maintain robust and healthy competition in the aviation repair industry.

The current Chief Executive will continue to fill that position.

Service Personnel (Sexually Transmitted Diseases)

Mr. Keetch: To ask the Secretary of State for Defence what proportion of service personnel were suffering from *(a)* HIV/AIDS and *(b)* sexually transmitted diseases in each of the past five years; and if he will make a statement. [153170]

Dr. Moonie *[holding answer 12 March 2001]:* The proportion of Service personnel known by the Ministry of Defence to be suffering from HIV/AIDS in each of the past five years is shown in Table 1. Table 2 shows the proportion of Service personnel referred to military Genito-Urinary clinics in each of the last five years. It is not possible to identify separately referrals relating to sexually transmitted diseases but they represent the majority of the referrals. No information is held on members of the armed forces who may have received advice or treatment outside the Defence Medical Services.

Table 1

Year	*HIV/AIDS (percentage)*
1996	0.003
1997	0.005
1998	0.004
1999	0.005
2000	0.006

Table 2

Year	*Sexually transmitted diseases (percentage)*
1995–96	2.1
1996–97	2.9
1997–98	2.7
1998–99	3.2
1999–2000	3.3

Notes:

1. For HIV/AIDS, the figures are recorded for each calendar year and the percentages are calculated against armed forces strength in April of that year.
2. For Genito-Urinary clinic referrals, financial year periods are used, as most (but not all) data were readily available only on that basis. The percentages are calculated against the strength at the end of each financial year.
3. Figures for Genito-Urinary referrals in Northern Ireland are available only for the first and last years of the sequence. Intermediate years have been estimated by extrapolation from these.

Iraq

Mr. Hilary Benn: To ask the Secretary of State for Defence if he will make a statement on reports of recent incursions into the northern no-fly zone in Iraq by military aircraft from the Turkish air force. [156407]

Mr. Hoon: I refer my hon. Friend to the answers I gave him on 26 March 2001, *Official Report*, columns 447W and 526W.

Depleted Uranium

Mr. Maclennan: To ask the Secretary of State for Defence what the sources were of the uranium used in the manufacture of depleted uranium-based ammunition used by UK forces. [156209]

Dr. Moonie *[holding answer 30 March 2001]:* I refer the right hon. Member to the answer my hon. Friend the Minister for the Armed Forces gave to my hon. Friend the Member for Bristol, West (Valerie Davey), on 27 February 2001, *Official Report*, columns 608–09W, and also to the answer he gave to my hon. Friend the Member for Newcastle-upon-Tyne, Central (Mr. Cousins), on 15 March 2001, *Official Report*, column 675W.

Colchester Garrison

Mr. Bob Russell: To ask the Secretary of State for Defence, pursuant to his answer of 19 March 2001, *Official Report*, column 14, when his Department sought approval from Colchester borough council for temporary residential accommodation for the Parachute Regiment; when approval was given; when construction will commence; when the accommodation will be ready for occupation; and if he will make a statement. [156526]

Dr. Moonie: The application for the erection of temporary accommodation was submitted to Colchester borough council on 24 November last year. The local authority gave approval on 26 February 2001, subject to the temporary accommodation being removed as soon as permanent accommodation is available or before 28 February 2005, whichever is sooner. Construction is due to commence by the end of April and as stated to the hon. Member in my answer of 19 March 2001, *Official Report*, column 14, the accommodation should be available for occupation by the Parachute Regiment by mid-August this year.

Warships

Mr. Hancock: To ask the Secretary of State for Defence which UK companies have the capacity to design and build destroyers and frigates for the Royal Navy; and if he will make a statement. [154045]

Mr. Hoon: Currently BAE Systems Marine and Vosper Thornycroft (UK) Ltd. are the only UK shipbuilders with the capability to undertake both the detailed design and build of such vessels, though other companies could acquire the capability.

However, the most challenging aspect of modern warship procurement lies in the ability to integrate highly complex weapon systems, which is why we seek to place prime contracts on companies with this broader systems capability. Such companies may or may not be shipbuilders themselves.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Defence how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155233]

Dr. Moonie: The Ministry of Defence Ministers' diaries are all maintained electronically and information on cancelled diary appointments is not retained by the system.

MOD Police (Housing)

Mr. Key: To ask the Secretary of State for Defence if his Department's police officers who transfer to the Ministry of Defence Police lose their entitlement to housing allowances; and if he will make a statement. [155119]

Dr. Moonie *[holding answer 23 March 2001]:* In answering this question I have assumed that the reference is to Home Department police officers who join the Ministry of Defence Police (MDP). In the event of an officer from a Home Department police force joining the MDP, the Chief Constable may, at his discretion, recognise any entitlement to housing allowance earned through service with the Home Department force.

Royal Marines (Whale Island)

Mr. Hancock: To ask the Secretary of State for Defence what were the total costs of setting up HQ Royal Marines at Whale Island, Portsmouth; and if he will make a statement. [155799]

Mr. Spellar *[holding answer 27 March 2001]:* HQ Royal Marines was the result of an amalgamation and rationalisation of three former Royal Marines Headquarters organisations: the Department of Commandant General Royal Marines from London, the Headquarters Commando Forces from Plymouth and the Headquarters Training and Reserve Forces from Poole. The total cost of setting up the HQ, including the interim relocation to HMS Vernon, is not readily identifiable and could be produced only at disproportionate cost. However, the capital cost of the build at Whale island, including VAT and fees, was some £4.5 million.

Armoured Vehicle Training

Mr. Hancock: To ask the Secretary of State for Defence where the training of crews for armoured vehicles takes place; which locations will close as a result of training being put out to contract; and if he will make a statement. [155803]

Dr. Moonie *[holding answer 27 March 2001]:* Individual training for crew members of armoured vehicles takes place within armoured unit locations in the UK and Germany and at the Armour Centre, Bovington. The proposal to introduce a partnering arrangement for the delivery of such training will not result in the closure of any existing locations.

Mr. Hancock: To ask the Secretary of State for Defence how many people will be made redundant as a result of training for crews of armoured vehicles being put out to contract; and if he will make a statement. [155804]

Dr. Moonie *[holding answer 27 March 2001]:* The proposals from the three consortiums bidding for the partnering arrangement to deliver individual training for crew members of armoured vehicles will not be received until the end of May but are not expected to result in significant redundancies. Trades Unions have been consulted over the PFI and civil servants involved will have the option to transfer to the selected Partner under TUPE—Transfer of Undertakings (Protection of Employment) Regulations 1998—arrangements or will be redeployed within the Department.

Nuclear Contamination

Mr. Llew Smith: To ask the Secretary of State for Defence how many bases which are *(a)* operational, *(b)* closed and *(c)* leased to the United States in (i) the United Kingdom and (ii) British overseas territories are contaminated with pollutants; and what action has been taken to remediate and restore contaminated areas. [156401]

Dr. Moonie: The information requested is not held centrally. However, it is Ministry of Defence policy to undertake decontamination of contaminated land where there is a significant risk to health and safety or to the environment, or where land is earmarked for disposal. On sites earmarked for disposal, remediation is generally confined to the removal of ordnance and other defence-specific contaminants where a civilian contractor might not have the relevant experience. Where appropriate, provision is made within the sale agreement for the purchaser of surplus defence land to remediate it to a standard fit for the proposed new use.

Chinook

Mr. Key: To ask the Secretary of State for Defence if he will list the FADEC-related nuisance faults experienced on the Chinook Mk2 helicopter fleet in the six months up to and including 2 June 1994, indicating in each case their safety significance and whether this was understood by the crews. [156367]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Service Accommodation (Council Tax)

Mr. Key: To ask the Secretary of State for Defence what is the basis for calculating contributions in lieu of council tax for *(a)* single serviceman's accommodation and *(b)* service family accommodation, (i) at home and (ii) overseas; and if he will make a statement. [156393]

Mr. Spellar: All service accommodation in England, Scotland and Wales is formally exempt from the council tax regime. Instead, the Ministry of Defence pays contributions in lieu of council tax (CILOCT) to local authorities, broadly equivalent to the amount of tax that would otherwise be due. The average contribution, determined by the type of property occupied, is then recovered from service occupants with their accommodation charge. The system allows a uniform payment wherever personnel are posted, including overseas. In Northern Ireland CILOCT is not paid as domestic rates are still in force.

Mr. Key: To ask the Secretary of State for Defence if, for each local authority in *(a)* England and Wales, *(b)* Scotland and *(c)* Northern Ireland, he will list the contribution paid in lieu of council tax in the latest year for which figures are available; and the total sum paid in each country. [156394]

Mr. Spellar: The Ministry of Defence pays approximately £40 million in respect of contributions in lieu of council tax (CILOCT) to some 240 local authorities in England, Scotland and Wales. CILOCT does not apply in Northern Ireland where domestic rates are still in force. I will write to the hon. Member with details for each local authority and a copy of my letter will be placed in the Library of the House.

Mr. Key: To ask the Secretary of State for Defence what is the average sum recovered in contributions in lieu of council tax from *(a)* married and *(b)* single armed forces personnel, by rank, (i) at home and (ii) overseas, in the current financial year; and if he will make a statement. [156395]

Mr. Spellar: All members of the armed forces pay the same amount of contributions in lieu of council tax (CILOCT), in relation to the type of property occupied, wherever they are serving. The only exception is for those serving in Northern Ireland where domestic rates are still in force. For those living in a Service Family Accommodation, the current CILOCT charge is between £526 and £1,161 per annum depending on the type of quarter. Personnel occupying single accommodation pay a lower annual CILOCT charge of between £22 for other ranks and £69 per annum for officers, because of the lower valuation of this type of accommodation.

Mr. Key: To ask the Secretary of State for Defence how many armed forces personnel, in addition to their contribution in lieu of council tax, pay council tax on an unoccupied private residence; and if he will make a statement. [156392]

Mr. Spellar: We do not keep records of how many Service personnel own private properties. All Service personnel living in Service accommodation who also own a private property remain liable to pay council tax on their own property to the local authority concerned. It is for local authorities to interpret the relevant regulations regarding "sole or main" residence criteria. There have been a handful of cases in which they have refused to allow Service home owners a reduction on their private property when they also have a Service family quarter and pay a full council tax contribution for that quarter via the Contributions in Lieu of Council Tax scheme. Although the Ministry of Defence is not in a position to determine the actions of local authorities, my officials have raised individual cases with the relevant local authorities.

NORTHERN IRELAND

Plastic Baton Rounds

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what have been the results of recent studies into the feasibility of providing an effective alternative to plastic baton rounds for use in crowd control situations in Northern Ireland; and what have been the costs of these studies in the last 10 years. [144690]

Mr. Ingram *[pursuant to his reply, 8 February 2001, c. 679W]:* Phase one of the research programme aimed at finding an acceptable, effective and less potentially lethal alternative to the plastic baton round has now been completed. I have today placed a copy of the Report, and a letter my right hon. Friend the Secretary of State has issued to Northern Ireland party leaders, in the Library of the House.

PRIME MINISTER

Foot and Mouth

Mr. Salmond: To ask the Prime Minister on what date he received a report from Dr. Keith Scupton on the foot and mouth outbreak; and if he will make a statement on Government policy on its contents. [156534]

The Prime Minister: I have read the report which is in the public domain.

SOLICITOR-GENERAL

Departmental Policies (Southwark)

Ms Harman: To ask the Solicitor-General if he will set out, with statistical evidence relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since 2 May 1997. [155982]

The Solicitor-General: The Camberwell and Tower Bridge branch of the Crown Prosecution Service (CPS) deals with all adult cases emanating in the London borough of Southwark. The Youth and City branch of the Crown Prosecution Service deals with most youth cases emanating in the London borough of Southwark.

In November 1999, in line with national policy, the Camberwell and Tower Bridge branch and the Youth and City branch, introduced procedures to implement the Narey proposals. They did this in liaison with a number of other criminal justice agencies (including courts, police and defendants representatives). All defendants charged with a criminal offence, where a guilty plea is anticipated, now make their first appearance before the Magistrates or Youth court within five working days.

Both the Camberwell and Tower Bridge and the Youth and City branches have fast track procedures in place to deal with Persistent Youth Offender cases. They are working towards the Government's 71-day target for disposing of those cases.

In November 2000, the Crown Prosecution Service at Camberwell and Tower Bridge branch began changing its structure in line with implementation of the Glidewell review. As a first step towards a Trial Unit, it established a Crown Court Committal section. This enables the Crown Prosecution Service to place greater emphasis on serious crime cases, which are heard at both the Inner London Crown court and the Central Criminal court.

The Camberwell and Tower Bridge branch are involved in the Direct Communication with Victims initiative. This provides a written explanation when the Crown Prosecution Service either discontinues or substantially alters a charge. In some circumstances the Crown Prosecution Service will meet with victims to explain why a particular decision was taken.

Action and polices of the Treasury Solicitor's Department and the Serious Fraud Office do not directly affect my right hon. Friend's constituency.

Diplock Hearings

Mr. McNamara: To ask the Solicitor-General if he will list the criteria he uses in deciding whether a Diplock court hearing has been prejudiced by *(a)* public comment and *(b)* other matters outside the court. [156537]

The Solicitor-General: It is not for the Attorney-General, or Solicitor-General, to consider whether a trial has been prejudiced by any matter. If, following a conviction, there is any question as to the fairness of a trial, it is exclusively for the Court of Appeal to consider by way of appeal or referral by the Criminal Cases Review Commission.

Racist Literature

Ms Perham: To ask the Solicitor-General if he will make it his policy to prosecute those who produce literature including the phrase "Kill the Jews". [156391]

The Solicitor-General: Each case which the police send to the Crown Prosecution Service—whether involving an allegation of anti-Semitic literature or any other offence—is reviewed by a Crown Prosecutor. All cases are carefully considered to make sure that they meet the tests set out in the Code for Crown Prosecutors, which is issued under section 10 of the Prosecution of Offences Act 1985.

There are two stages in the decision to prosecute. The first stage is the evidential test. The Crown Prosecutor must be satisfied that there is enough evidence to provide a 'realistic prospect of conviction'. He must consider objectively whether the evidence can be used and is reliable. The Crown Prosecutor must also consider what the defence case may be and how it is likely to affect the prosecution case. A 'realistic prospect of conviction' means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged.

If the case does not pass the evidential test, it must not go ahead, no matter how important or serious it may be. If the case does pass the evidential test, the Crown Prosecutor must then consider the second stage test to decide if a prosecution is needed in the public interest. In cases of any seriousness, a prosecution will usually take place, unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour. The Crown Prosecution Service will only start or continue a prosecution when the case has passed both tests.

Offences under part III of the Public Order Act 1986, which include offences of producing and distributing racially inflammatory material, require Law Officer's consent. Where the evidential and public interest tests are met consent to prosecute will be granted.

Since the heightened tensions in the Middle East there have been a number of reported incidents of the publication/distribution of racially inflammatory material targeting the Jewish Community in London.

The police have arrested individuals and seized leaflets. Files have been submitted to the CPS and are either ongoing, the decision to prosecute having been made, or under review.

Advocates

Mr. Purchase: To ask the Solicitor-General if he will make a statement about the arrangements for instructing advocates to prosecute cases on behalf of the Government. [156818]

The Solicitor-General: Last year the Attorney-General set up a working group, chaired by David Nissen, CB, the Solicitor to the Department of Trade and Industry, to conduct a review of the arrangements for instructing advocates to prosecute cases on behalf of the Government. Following that review and consultation within Government and the legal profession, new arrangements come into force today that will govern the instruction of advocates (whether barristers or solicitor-advocates) in private practice in prosecution cases for the following Government Departments and non-departmental public bodies:

HM Customs and Excise; Departments of Social Security/Health; Inland Revenue; Department of Trade and Industry; Ministry of Agriculture, Fisheries and Food; Intervention Board; Health and Safety Executive and the Environment Agency.

A single panel will be set up of advocates for prosecution cases divided into three lists: A, B and C according to the level of experience of the advocate. Appointments will be for three years with the possibility of further renewals. I hope to announce the first recruitment exercise for the new single panel in the autumn. Further details about the application and selection process will be given closer to that time. There will be annual recruitment exercises and advertisements for applications to the new panel will be published. There will be equal opportunities monitoring of the application and selection process and particular care will be taken to encourage applications from women and member of the ethnic minorities. Appointment to the panels will be open to solicitor-advocates.

From today, as a transitional arrangement until the new single panel is set up, my current Lists of advocates for the Departments named will be operated as a single List with instructing solicitors in those Departments free to instruct advocates on the other lists. Those currently on a list will be expected to apply to join the new panel in due course.

Also from today, the role of my clerk in nominating advocates from the lists for instructions/briefs, the reallocation of returns and off-list nominations of counsel will cease. This was a considerable burden placed upon the chambers of each Attorney-General, which in these times can no longer be justified. From now on, Departments will be responsible for dealing directly with clerks concerning the delivery of instructions and the reallocation of returns. Departments will be responsible for monitoring the fair spread of instructions across the lists and the quality of performance of advocates. There will be an Administrative Unit, based at HMCE, responsible for central monitoring that will report to me.

I am confident that the new arrangements will serve prosecuting departments and NDPBs well. The system will be open and fair and will offer greater opportunities than in the past for prosecutors to do Government work.

Chesswood Harris

Mr. Rowe: To ask the Solicitor-General for what reason the Treasury Solicitor has not provided the substantive reply promised on 6 January 2000 in the case of Chesswood Harris *v.* Ministry of Defence; when the Treasury Solicitor will provide the reply; and if he will make a statement. [156066]

The Solicitor-General: I regret that the Treasury Solicitor has not provided the substantive reply referred to in the letter of 6 January 2000. I have today written to the hon. Member.

INTERNATIONAL DEVELOPMENT

Sudan

Sir Patrick Cormack: To ask the Secretary of State for International Development if she will increase her Department's funding for NGOs working in southern Sudan. [156155]

Clare Short: We increase funding to NGOs for humanitarian purposes in any part of Sudan when circumstances dictate this is necessary, and where we believe NGOs will provide the most effective channel to relieve urgent needs. We are also willing to consider support for grass-roots peace-building initiatives.

Palestinian Authority

Dr. Vis: To ask the Secretary of State for International Development if she will place copies in the Library of *(a)* European Union and *(b)* United Kingdom assessments of the effectiveness of aid given to the Palestinian Authority since 1995. [156069]

Clare Short: I have arranged for copies of the following reports to be placed in the House of Commons Library:

Evaluation of the European Community's programme of development assistance to the West Bank and Gaza Strip, 1999.

European Court of Auditors Special Report 19/2000 on the management by the Commission of the programme of assistance to Palestinian society.

My Department has included as assessment of UK aid effectiveness in its draft Country Strategy Paper on the West Bank and Gaza Strip. We are reviewing our programme of bilateral co-operation with the Palestinians in the light of the current troubles and the terrible deterioration in economic and social conditions in the West Bank and Gaza. When the Strategy Paper is published a copy will also be placed in the Library.

WALES

Foot and Mouth

Mr. Llwyd: To ask the Secretary of State for Wales what discussions he has had with the Ministry of Agriculture, Fisheries and Food on compensation for consequential losses being suffered by *(a)* the tourist industry and *(b)* rural business in general as a result of foot and mouth disease; and if he will made a statement. [154180]

Mr. Paul Murphy: I maintain close contact with my right hon. Friend the Minister of Agriculture, Fisheries and Food on a variety of issues including foot and mouth disease.

My hon. Friend the Parliamentary Under-Secretary of State for Wales is a member of the UK Government Rural Taskforce set up to examine the effect of the outbreak of foot and mouth disease across the rural economy as a whole. Following the initial meetings of this taskforce, my right hon. Friend the Minister for the Environment announced on 20 March a package of UK-wide measures to help businesses cope with the impact of foot and mouth. These included a new information campaign to get the public back to areas of the countryside which they can safely visit and an immediate package of short-term practical help for rural businesses, involving the Small Business Service and the banks.

In addition, the National Assembly for Wales has already issued a Tourism Charter and announced a £1.5 million marketing package through the Wales Tourist Board aimed at reassuring visitors to Wales. They have also made available £12 million to local authorities to enable them to grant rate relief to businesses affected by foot and mouth disease, £1 million additional funding to help the agri-food sector in Wales recover from the effects of foot and mouth disease, and £0.5 million to match pound for pound voluntary donations from the public to help relieve rural distress.

Aiwa Factory

Mr. Evans: To ask the Secretary of State for Wales what representations he has received on the prospect of job losses at the Aiwa factory in Newbridge in Wales. [156577]

Mr. Paul Murphy: None and I understand that the company has issued a statement rebutting the reports of possible job losses at Newbridge.

EDUCATION AND EMPLOYMENT

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for Education and Employment if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155980]

Mr. Wills: The details have been placed in the Library.

School Funding (Bury)

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the total allocation of direct payments to *(a)* primary and *(b)* secondary schools in Bury local education authority for 2000–01 and 2001–02. [156668]

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Ms Estelle Morris: The tables show the amount of School Standards Grant and devolved formula capital grant payable in 2000–01, and the estimated amounts payable in 2001–02, by sector.

School standards grant

£

	2000–01	2001–02
Nursery	3,000	7,000
Primary	552,000	1,482,000
Secondary	544,000	956,000
Pupil Referral Units	6,000	14,000
Special	45,000	68,000

Note:
A typical primary school will receive £24,000 School Standards Grant in 2001–02, and a typical secondary school, £70,000

Devolved formula capital grant

£

	[1]2000–01	2001–02
Nursery	3,941	6,976
Primary	859,749	692,622
Secondary	436,045	360,645
Pupil Referral Units	8,493	27,360
Special	34,763	15,043

[1] Part of the 2001–02 grant is intended to be spent in 2001–02 and reflected a once-off increase in the Pre-Budget report
Note:
A typical primary school will receive £9,750 in devolved formula capital grant in 2001–02 and a typical secondary school, £28,500.

Modern Apprenticeships

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will indicate the *(a)* areas, *(b)* total sums allocated in each area, *(c)* number of modern apprenticeships to be created and *(d)* number of additional computer training places in each of the five information technology pilot areas. [156472]

Ms Jowell: The Ambition:IT initiative will run in five pilot areas which will be selected from a current shortlist of 10: London, Manchester, Birmingham, Leeds, South Yorkshire, Liverpool, Tyneside, Cardiff, Glasgow, and Edinburgh and the Forth area. We will announce the five pilot areas later in the Spring.

Allocations have not therefore been made to individual areas. Details of overall funding and opportunities for each of the three prongs of Ambition:IT are:

Career Ambition—a total of £34 million over three years for a technician training pilot to place 5,000 individuals in the ICT sector over those three years;

First Ambition—a total of £15 million over three years to train New Deal participants to European Computer Driving Licence standard, starting in October 2001 and help 15,000 in its first year; and

A £2.5 million Challenge Fund to test the use of innovative technology to increase the quality and efficiency of services throughout the New Deal.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Education and Employment how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155236]

Mr. Wills: None, although various meetings have been rescheduled.

School Governing Bodies

Dr. Tonge: To ask the Secretary of State for Education and Employment when he will publish the results of his most recent consultation on school governing bodies. [155946]

Jacqui Smith *[holding answer 28 March 2001]:* My right hon. Friend the Secretary of State for Education and Employment announced on 17 March 2001 that he has asked me to set up and chair a high level group, which will include governor, head teacher, local authority and church representatives, to consider the responses to the consultation. The Group will look particularly at the proposals for changing governor responsibilities and governing body constitutions.

In accordance with the Cabinet Office Code of Practice on Written Consultation, we are proposing to publish a summary of the results of the Consultation in due course. As we received over 6,500 responses a full analysis will not be ready for publication until early June. We are planning to send out interim feedback summarising headline data to chairs of governors and head teachers in the April mailing to schools.

New Deal (Crewe and Nantwich)

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment how many people in the constituency of Crewe and Nantwich have benefited from *(a)* disabled students' allowances, *(b)* the New Deal for lone parents, *(c)* the New Deal for partners of unemployed people, *(d)* the New Deal for people aged 25 plus, *(e)* the New Deal for young people, *(f)* Jobseeker's Allowance and *(g)* jobfinder's grant since May 1997. [156227]

Ms Jowell: *(a)* In the academic year 1997–98, 81 disabled students' allowances worth £110,488 were paid to students from Cheshire. Figures are not available for subsequent years.

(b) During the period October 1998 to December 2000, 272 people in Crewe and Nantwich have joined New Deal for lone parents. This has resulted in 119 people moving into employment during the same period.

(c) Constituency level figures for New Deal for partners are not yet available.

(d) In Crewe and Nantwich, from July 1998 to January 2001, 355 people joined New Deal for people aged 25 plus. 70 people left the programme for jobs.

(e) 826 young people in Crewe and Nantwich have entered New Deal for young people during the period April 1998 to January 2001. 423 of these have found employment.

(f) The only available constituency level Jobseekers Allowance statistics are based on a 5 per cent. sample of the population. As a broad indication, 2,800 people in the Crewe and Nantwich constituency have claimed Jobseeker's Allowance since May 1997. This does not include people who receive nil benefit who sign on for National Insurance credits only.

(g) Constituency figures for jobfinder's grant are not available. However in the North West Employment Service Region, from April 1997 to February 2001, 27,262 people have received assistance from the jobfinder's grant.

Disability Rights Commission

Mr. Simon Thomas: To ask the Secretary of State for Education and Employment (1) what the average length of time is for processing an application under the Disability Discrimination Act 1995 at the Disability Rights Commission; [156353]

(2) what the backlog of applications under the Disability Discrimination Act 1995 is at the Disability Rights Commission; and if he will make a statement. [156354]

Ms Hodge: These are operational matters for the Disability Rights Commission. I have asked the Chief Executive to reply direct to the hon. Member and to place a copy of his letter in the House Library.

British Sign Language

Mr. Tony Lloyd: To ask the Secretary of State for Education and Employment what plans he has to grant official recognition to British Sign Language. [156649]

Ms Hodge: I have received many representations on this issue and have met disability organisations to discuss the best way forward. The UK ratified the Council of Europe's Charter for Regional or Minority Languages on 27 March and will be appointing the UK representative to the Charter's Committee of Experts. The Committee of Experts will be able to consider whether indigenous sign languages should come within the terms of the Charter.

Working Age Agency

Mr. Barron: To ask the Secretary of State for Education and Employment what progress has been made in setting up the new agency for working age people. [156803]

Mr. Blunkett: My right hon. Friend the Secretary of State for Social Security and I are establishing the new agency for working age people later this year. We announced on 14 March the locations of around 50 pathfinder offices bringing together labour market and benefit services for people of working age. These offices will be the first stage in the launch of this new Agency.

We can further announce today that the new Agency and its local offices will be called "Jobcentre Plus". We shall be introducing the name "Jobcentre Plus" in local offices as they roll out the integrated benefit and employment service, starting with the first pathfinder offices in October. But, more widely, the new Agency will be referred to as "Jobcentre Plus" from today.

Digital Education Delivery

Jane Griffiths: To ask the Secretary of State for Education and Employment what plans he has to develop the delivery of education in schools through digital formats. [156805]

Mr. Blunkett: I am today publishing a consultation paper "Curriculum Online", which sets out our proposals for the next steps in the use of technology to raise standards of education, including consulting on the future of the National Grid for Learning. Copies of the paper have been placed in the House of Commons Library. We are seeking views on the best way to achieve our vision of a consistent and coherent set of electronic resources available across the curriculum. All teachers will have access to the best available resources to support their lesson planning and all pupils will be able to use the same materials at home as they do in the classroom, to support their homework and revision, for example.

As a first step towards achieving our vision, I am also announcing today the outcome of our competition for the provision of digital course materials for GCSEs in English, mathematics, science, history, geography and French. We will be investing £42 million over three years in these materials, to be delivered over digital television and other channels. The proposals were assessed against criteria including their educational merits and their value for money and the BBC and Granada Media were judged to have submitted the best proposals. Subject to the necessary DCMS approvals, they will be working together to deliver the six GCSEs, split equally between them.

In addition, I can announce that we will be developing a "Cybrarian"—a virtual librarian service for learners of all ages—using £17.5 million from the Capital Modernisation Fund and a further £5 million of DfEE funding. It will offer much more effective ways of connecting learners with the rich electronic content that they need and will be a powerful tool in efforts to bridge the digital divide, particularly for those traditionally poorly served by electronic resources.

Together these announcements represent another important step forward in our plans to use the potential of technology to reinforce and support our commitment to the best of traditional teaching methods.

HEALTH

Local Health Services

Miss McIntosh: To ask the Secretary of State for Health what progress has been made in the establishment of local health services. [153485]

Mr. Denham: Primary Care Trusts (PCTs) are key agents for securing services that better meet the needs of their population. They are able to play a leading role in improving the health of their community and delivering more integrated local services. PCTs are starting to make this happen. 124 new PCTs have become established this year, bringing the total now to 164. Further PCTs will be established next year.

In addition, £100 million will be provided to Primary Care Groups (PCGs) and PCTs to develop primary care service, an average of £10,000 per general practitioner practice, that are aimed to promote new ideas or ways of working that deliver improved patient services. This might include funding, extra clinics, extended opening hours, training GP specialists or developing other primary care clinicians to deliver, for instance, better heart and cancer services.

We recognise that GPs and other primary care health practitioners are dealing with illness and disease now, which in the recent past could only be dealt with in hospitals. This trend will continue and investment is being made now to make sure that GPs have the time and the expertise to deliver top class care in our communities. Therefore, in addition to existing funding and the new resources available to all PCGs and trusts, from April

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2001 each PCG and PCT will receive £5,000 to support the lead GP or nurse engaged within the local cancer clinical network.

New Personal Medical Services (PMS) pilots are also providing an opportunity to test different ideas for delivering existing primary care focusing on local services problems and bringing about improvements. PMS has proved to be very successful in reaching deprived areas where help is often most needed, making service provision more responsive and equitable.

National Institute for Clinical Excellence

Mr. Todd: To ask the Secretary of State for Health if he will make available summaries of information submitted to NICE on a commercial-in-confidence basis; and if he will make a statement. [154779]

Mr. Denham: Details of the appraisal process and the publication of evidence are matters for the National Institute for Clinical Excellence (NICE). NICE has recently consulted on changes to its appraisal process. I understand that it is proposing that, where information submitted to the institute is designated by a consultee as being 'commercial in confidence', the institute will undertake not to release this information to a third party. However, the institute may ask the consultee to forego such restrictions on release where either there appears to be no obvious commercial reason for the restrictions; or such restrictions would make it difficult or impossible for the institute to show the evidential basis for its guidance.

Local Pilot Schemes

Mr. Cohen: To ask the Secretary of State for Health what local pilot schemes he funds in relation to *(a)* congestive heart failure and *(b)* asthma in London; and when he will receive reports on their progress. [156102]

Yvette Cooper *[holding answer 29 March 2001]:* The National Service Framework for coronary heart disease sets out standards and models of care for heart failure treatment which health authorities together with local stakeholders will be developing as part of the local implementation of the National Service Framework. All health authorities have addressed the issue of heart failure through their three year local delivery plans.

As part of this roll-out-local pilot schemes are being developed in London. One pilot project that will be specifically dealing with both congestive heart failure and asthma is the health networks initiative. This pilot project will look at new models of care for treating chronic illness in the Waltham Forest area of London. The project is jointly managed by the Redbridge and Waltham Forest health authority, Forest Healthcare National Health Service Trust and the Walthamstow, Leyton and Leytonstone Primary Care Group. Congestive heart failure and asthma were chosen as the most suitable to consider for new ways of care management. The funding for this project is being provided by regional primary care money. It is hoped that the first pilot scheme will commence in June of this year. It is not clear when a report will be available.

In addition heart failure clinic pilots have been developed at the Whittington Hospital, St. George's Hospital and Barnet and Chase Farm NHS Trust.

There are also a number of local pilot schemes for asthma in London which are outlined as follows:

The Bronchial Boogie Project in Lambeth, Southwark and Lewisham health authority. This project will provide singing and breathing tuition for young asthmatics and may include tuition with wind instruments and time with local youth rap and other bands. The project will provide professionals with an opportunity to impart general and respiratory specific health education and for the young people to teach the professionals good practice from the patients' point of view. This project is being funded through health action zone money. The report is expected in March 2002.

Free to breathe pilots have been set up by both Camden and Islington health authority and Kensington, Chelsea and Westminster health authority. Each of the pilots has been taken forward by local primary care groups. The pilots were set up last year to improve the care and treatment of patients with asthma and chronic obstructive pulmonary disease. These projects have been funded through health authority money. The Camden and Islington health authority report is currently available. The report by Kensington, Chelsea and Westminster will be completed during 2002.

Child Maltreatment

Mr. Rowe: To ask the Secretary of State for Health what representations he has received concerning "Child Maltreatment in the UK: A Study of the Prevalence of Child Abuse and Neglect", published by the NSPCC; and if he will make a statement. [156146]

Mr. Hutton: The National Society for the Prevention of Cruelty to Children has made, and continues to make, a significant contribution in raising public awareness and understanding of the problem of child abuse.

We acknowledge the value of "Child Maltreatment in the United Kingdom". This is the first report of this most authoritative and contemporary prevalence study of child abuse and neglect. We have studied the findings of the report very carefully, and my officials have benefited from learning about the early findings of the study over the past two years. I am aware that there will be a major national conference on the implications of the report in April. We look forward to further findings that may be drawn from this study.

Computer Failures

Mr. Swayne: To ask the Secretary of State for Health what advice has been issued to *(a)* health authorities and *(b)* NHS trusts regulating requirements for disaster recovery strategies in the event of massive computer failure; and if he will make a statement. [156142]

Mr. Denham: The National Health Service information authority has published comprehensive guidance on information security management methods, including business continuity management, to NHS health authorities and trusts within the generic United Kingdom standard BS7799 part 1 and related NHS documentation. These are available from the authority and also online from the authority's website to all NHS staff.

PFI Contracts

Dr. Fox: To ask the Secretary of State for Health (1) what assessment he has made of the disposal by Hyder of its PFI contracts with George Eliot and South Warwickshire hospitals to IBA; and if he will make a statement; [156216]

(2) what PFI contracts have been awarded to IBA by South Manchester and Kettering hospitals; and if he will make a statement; [156263]

(3) if his Department has taken steps to ensure the accuracy of information published by IBA on its website regarding the awarding of NHS PFI contracts. [156264]

Mr. Denham *[holding answer 30 March 2001]:* IBA has been appointed preferred bidder under the Private Finance Initiative procurement process for the provision of Information Technology (IT) services at South Manchester University Hospitals National Health Service Trust and Kettering General Hospitals NHS Trust. Contracts will be signed if the trusts are satisfied that the final proposals are affordable and provide value for money solutions for the NHS.

George Eliot Hospital NHS Trust and South Warwickshire NHS Trust are currently taking legal and financial advice on IBA's proposal to take over the prime IT contracts which they currently hold with Hyder plc.

The accuracy of information produced by private sector companies is a matter for the companies themselves. Government bodies expect to be fully consulted about the use of information supplied by them to other parties in good faith during the course of a procurement process.

Newcastle Hospitals Trust

Mr. Cousins: To ask the Secretary of State for Health what numbers of acute and intermediate beds he has agreed for the Newcastle Hospitals Trust PFI; what target date he has set for the replacement of the Northern Centre for Cancer Treatment; and when he plans to put the PFI into open advertisement for bids. [156469]

Mr. Denham: No target numbers of beds have yet been agreed for the Newcastle upon Tyne Hospitals Trust's Private Finance Initiative (PFI) scheme as this is an aspect of the refinement of the outline business cases that is now being undertaken by the trust.

The scheme's business cases advocate the new Northern centre for cancer treatment being procured as one part of the overall PFI developments proposed at both the Freeman Hospital and Royal Victoria Infirmary. Subject to satisfactory progress being made in progressing the scheme, the new facilities at Freeman Hospital should be operational in 2005.

The date for placement of the advertisement will be dependent on the completion of the refinement of the outline business case.

Prescriptions

Mr. Cousins: To ask the Secretary of State for Health what the number of prescriptions per head of population was; and what the value of such GP prescribed prescriptions per head for *(a)* anti-depressants and *(b)* tranquillisers was in each of the last three years for each health authority in England. [156470]

Mr. Hutton: The information requested for 1998 and 1999 will be placed in the Library. Information for 2000 will not be available until June 2001.

Mental Health Patients

Mr. Gunnell: To ask the Secretary of State for Health how many mental health patients detained in hospital received ECT *(a)* having given informal consent in advance, *(b)* not having given consent but having had the matter put to a second opinion appointed doctor and *(c)* having given no consent and not having the matter referred to a second opinion appointed doctor between November 2000 and February 2001; and how this data compare to that for the period November 1999 to February 2000. [156671]

Mr. Hutton: The information is not available in the form requested. A survey covering the period from January 1999 to March 1999 was undertaken to provide an up to date and accurate snapshot picture of the use of electro-convulsive treatment (ECT) in England. During that period 2,800 patients received ECT treatment, 75 per cent. of ECT patients were not formally detained under the Mental Health Act 1983 and of those patients formally detained while receiving ECT treatment, 29 per cent. consented to ECT, 12 per cent. were treated as an emergency and 59 per cent. did not consent to treatment but were treated after a second opinion was obtained. The latter figure represented those patients who were unable to consent because of the serious nature of their illness. As a proportion of all ECT patients, those not consenting represented about 15 per cent.

The results of the survey are contained in the Department of Health Statistical bulletin "Electro Convulsive Therapy: Survey covering the period from January 1999 to March 1999, England", a copy of which is in the Library.

Broadmoor Hospital

Mr. Gunnell: To ask the Secretary of State for Health what discussions have taken place with the staff social club at Broadmoor Hospital to resolve the difficulties raised over the future provision of services at the hospital. [156672]

Mr. Hutton: Broadmoor Hospital Authority has been in protracted negotiations over the past 12 months with the privately managed staff recreation club regarding relocation.

The hospital authority has also consulted staff and staff side representatives about proposals for the future provision of staff recreational facilities.

Bayer Plant (Closure)

Dr. Tonge: To ask the Secretary of State for Health what discussions he has had with the World Drug Federation regarding the closure of the Bayer plant in the USA. [156358]

Mr. Denham: I have had no discussion with the Food and Drugs Administration (FDA). The Medicines Control Agency (MCA) has discussed the temporary curtailment of supply of the Bayer synthetic Factor VIII product with the European Medicines Evaluation Agency (EMEA). It is licensed by the EMEA under the European centralised licensing procedure and accordingly the agency has responsibility in Europe for co-ordinating relevant licensing issues. The MCA understands that the EMEA was only recently advised of these supply problems.

Haemophilia

Dr. Tonge: To ask the Secretary of State for Health what advice he is giving haemophilia patients regarding the safety of human plasma-derived factor 8 with respect to *(a)* hepatitis A, B, C, *(b)* Aids and *(c)* CJD. [156360]

Mr. Denham: Since the mid 1980s, blood products for haemophiliacs have been treated to destroy hepatitis C and HIV as well as a range of other viruses. The United Kingdom haemophilia centre doctors organisation guidelines state that all patients who are not immune to hepatitis A or B and who receive blood products should be vaccinated. There is no evidence world-wide that CJD of any type has been transmitted via blood or blood products, although the possibility cannot be ruled out entirely. All blood products used by the National Health Service in England are made from imported plasma.

Dr. Tonge: To ask the Secretary of State for Health what plans he has to obtain supplies of synthetic Factor VIII for the treatment of haemophilia in the United Kingdom while the Bayer plant in the USA is closed. [156359]

Mr. Denham: The Department has been advised by Bayer that the rate of supply of their synthetic Factor VIII has been curtailed for a limited period following an inspection of their manufacturing facility in the United States by the Food and Drugs Administration. During this period officials are working closely with the United Kingdom haemophilia centre doctors organisation and other suppliers of clotting factors to manage the situation in a way that best meets the needs of haemophilia patients.

Health Professions

Mr. Pike: To ask the Secretary of State for Health what steps he proposes to take to develop a comprehensive health service for health care professionals. [155966]

Mr. Denham: Occupational health services are of major importance to the National Health Service. 99 per cent. of NHS workers in the acute sector have access to some form of occupational health, the extent and the quality of which varies greatly from region to region. As part of the improving working lives initiative, service delivery standards will shortly be introduced to trusts and health authorities.

To date there is no provision for occupational health for the primary care sector. However, £21 million over the next three years will be invested in occupational health for general medical practitioners and their staff.

Dr. Iddon: To ask the Secretary of State for Health if he will publish his proposals for the future regulation of health professions. [156890]

Mr. Denham: We have today published draft orders under the Health Act 1999 containing provisions to set up a new Nursing and Midwifery Council and a new Health Professions Council. These will replace the existing United Kingdom Central Council for Nursing, Midwifery and Health Visiting and the four national Boards, and the Council for Professions Supplementary to Medicine. The orders will be published for three months before debate in Parliament. A period of consultation will last until 1 June 2001. Copies of both draft orders will be placed in the Library.

Appointments to the shadow Nursing and Midwifery Council and Health Professions Council are under way. These appointments should be made in early April for the shadow Councils to start work as soon as possible afterwards. The shadow Councils will have the status of advisory groups until the new Councils are statutorily established in April 2002.

Spectacle Fees

Sandra Gidley: To ask the Secretary of State for Health (1) if he will make a statement on dispensing fees for contact lens and spectacle dispensing from 1 June; [155736]

(2) what plans he has to charge VAT rates on *(a)* medicine dispensing and *(b)* spectacle and contact lens dispensing; and if he will make a statement. [155735]

Dawn Primarolo: I have been asked to reply.

The Government have no plans to charge VAT on the specific dispensing services of pharmacists or opticians. A House of Lords ruling given in January this year in the "Card Protection Plan" case has far-reaching implications for the VAT treatment of supplies made by many businesses, where one supply is incidental to another.

TREASURY

Private Pensions

Mr. Robathan: To ask the Chancellor of the Exchequer if he will make a statement on the impact of the abolition of advanced corporation tax dividend credit on the future provision of private pensions. [154882]

Miss Melanie Johnson: I refer the hon. Member to the answer given to the hon. Member for Buckingham (Mr. Bercow) on 5 March 2001, *Official Report*, columns 91–92W.

Departmental Policies (Southwark)

Ms Harman: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155978]

Miss Melanie Johnson: The London borough of Southwark, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the General Election, claimant unemployment in the borough has fallen by

5,235 or 36 per cent., youth unemployment is down by 74 per cent., and long-term unemployment has fallen by 58 per cent.

Macro-economic stability is being complemented at the micro-economic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of December 2000, the New Deal for 18 to 24-year-olds had helped 5,062 young people in the London borough of Southwark gain valuable skills and experience—1,883 (37 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle income families. In August 2000, 3,800 families in the borough were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 32,000 in the London borough of Southwark, will receive an above-inflation increase in the basic state pension from April 2001. Single pensioners will receive an extra £5 a week, and couples will receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 20,000 in the London borough of Southwark.

Lump Sum Tax Payments

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer (1) what factors the Inland Revenue takes into account when deciding whether to allow an individual to make an agreed lump sum payment in lieu of submitting a tax return; [152506]

(2) pursuant to his reply of 26 February 2001, *Official Report*, column 510W, on lump sum tax payments, in how many of the agreements entered into the initiative came from *(a)* the Inland Revenue and *(b)* the taxpayer; [152507]

(3) pursuant to his reply of 26 February 2001, *Official Report*, column 510W, on lump sum tax payments, how many agreements were entered into in each year since 1988; and how many were in respect of the same individual. [152500]

Dawn Primarolo: The agreements in question do not absolve individuals from their obligations to file tax returns. They establish the tax liability or tax treatment of certain income or gains for future years, which must then be reflected in the returns for those years. The circumstances in which these agreements have been made are varied. Typically they agree a practical basis for taxing future income or gains where there would otherwise be particular difficulties in establishing an exact figure.

Most of the agreements currently in existence were entered into in the periods 1988–91 and 1995–97.

Fuel Duties

Mr. Paul Marsden: To ask the Chancellor of the Exchequer if he will estimate the annual change in the cost to an average low user of variations in fuel duties between 1992 and 1997; and if he will make a statement. [156504]

Mr. Timms: In April 1992, the duty on a litre of unleaded petrol was 23.42 pence. In April 1997 it was 36.86 pence per litre. If the duty rate had been revalorised in line with inflation since 1992 it would have been 26.55 pence per litre.

Compared to revalorisation, the additional annual cost for a driver covering 5,000 miles per annum at 6.6 miles to the litre would have been £92 in duty and VAT.

Landfill Tax

Mr. Simon Thomas: To ask the Chancellor of the Exchequer how much of the landfill tax credit has been delivered to community projects. [156347]

Mr. Timms: Contributions totalling £184 million have been spent under the landfill tax environmental bodies credit scheme since the introduction of the tax on 1 October 1996 to 21 March 2001. Of this amount £106 million has been spent on community projects carried out in the vicinity of landfill sites. Landfill site operators can claim 90 per cent. of contributions as landfill tax credits subject to this not exceeding 20 per cent. of their annual liability.

Budget Transport Package

Mr. Simon Thomas: To ask the Chancellor of the Exchequer what the average savings to Welsh *(a)* vehicle owners and *(b)* hauliers, introduced by the pre-Budget statement will be in the next financial year. [156350]

Mr. Timms: The value of the Budget transport package to motorists is £1.6 billion, equivalent to 4 pence per litre cut in fuel duty. For hauliers the value of the Budget transport package is £660 million, equivalent to 7 pence per litre cut in fuel duty.

These savings are made across the United Kingdom as a whole.

Energy-Saving Materials

Mr. Hilary Benn: To ask the Chancellor of the Exchequer for what reasons the reduced rate of VAT on energy-saving materials is not applied to such materials sold direct to the public; and if he will make a statement. [156405]

Dawn Primarolo: Energy-saving materials sold direct to the public are not included in the list of goods and services to which, under agreements with our European partners, a reduced rate of VAT may apply.

Tourism (VAT)

Mr. Fearn: To ask the Chancellor of the Exchequer what plans he has to reduce VAT permanently on tourist accommodation and visitor attractions. [156331]

Dawn Primarolo: The Government have no current plans to reduce VAT on tourist accommodation and visitor attractions.

Tax Credits

Mrs. Dunwoody: To ask the Chancellor of the Exchequer how many people in the constituency of Crewe

and Nantwich have been awarded *(a)* disabled person's tax credit and *(b)* working families' tax credit since May 1997. [156257]

Dawn Primarolo: Disabled Person's Tax Credit (DPTC) and Working Families' Tax Credit (WFTC) were introduced in October 1999. For each parliamentary constituency, the number of people receiving DPTC, and an estimate of the number of families receiving WFTC, are shown in the Quarterly Inquiries from April 2000. Copies of these Inquiries are in the Library, and on the Inland Revenue website, www.inlandrevenue.gov.uk. However, the estimates for WFTC are based on five per cent. sample of awards, and are therefore subject to substantial sampling error; particular caution is needed when comparing such estimates over time.

Mr. Field: To ask the Chancellor of the Exchequer if he will list in respect of each tax credit *(a)* the number of successful claims and *(b)* the average size of each tax credit payment. [156100]

Dawn Primarolo: For the Working Families' Tax Credit and the Disabled Person's Tax Credit, the number of recipients and the average weekly amounts are shown in the respective Quarterly Inquiries, copies of which are in the Library.

Construction Projects

Ms Walley: To ask the Chancellor of the Exchequer (1) if he will ensure that, whenever public money is being spent on construction projects, holiday entitlement and exemplary site conditions and safety systems and practices are made an essential part of the terms of employment of contractors and sub-contractors; [152474]

(2) if he will ensure that, whenever public money is being spent on construction projects, holiday entitlement and exemplary site conditions and safety systems and practices are made an essential part of the terms of employment of contractors and sub-contractors procured for the project. [152473]

Mr. Andrew Smith: Working Time Regulations already provide most workers with a minimum entitlement of four weeks paid annual leave as set out in "Your Guide to the Working Time Regulations". This is available in the House of Commons Library.

A framework addressing site conditions and safety systems and practices, within which Central Government clients may operate when appointing and managing their suppliers, is currently being considered.

Tax Returns

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many taxpayers failed to submit their tax return by the deadline specified in 2001. [152505]

Dawn Primarolo: The number of taxpayers who failed to submit their 1999–2000 tax return by the filing deadline specified in the current year was just under 949,000.

Public Service Spending

Mr. Kaufman: To ask the Chancellor of the Exchequer how much was *(a)* spent and *(b)* allocated for future use on (i) health, (ii) education, (iii) transport, (iv) law and order and (v) other public services (A) since 2 May 1997, (B) for a similar period starting on 4 May 1979 and (C) for a similar period ending on 1 May 1997. [146478]

Mr. Andrew Smith: The table provides details of total Government (central government and local authority) spending on health (including personal social services), education, transport, law and order, and all other public services for financial years 1979–80 to 1991–82, 1994–95 to 1996–97 and 1997–98 to 1999–2000. Figures are available only for complete financial years.

UK spending by function for selected years

£ billion

	Health	*Education*	*Transport*[1]	*Law and order*	*Other*	*Total spend on services*
1979–80	11	10.5	3.6	3.2	49	77.3
1980–81	13.9	12.8	4.1	4	56.7	91.6
1981–82	15.6	13.9	4.6	4.6	64.3	103.1
1994–95	46	34.7	11.5	15.4	151.9	260
1995–96	48.6	35.6	11.3	15.7	158.1	269.6
1996–97	50.7	36.1	11.1	16.2	160.5	273.6
1997–98	53.1	37.2	11.2	16.9	160	276.3
1998–99	56	38.4	11.2	17.4	166.7	287
1999–2000[2]	61.2	41.4	12.4	19.1	172.9	303.3

[1] Transport figures from 1994–95 onwards include Private Finance Initiative expenditure on transport in England.
[2] Estimated outturn.

The Government's forward plans for public spending are set out in the 2000 Spending Review, "Prudent for a Purpose: building opportunity and security for all", July 2000, Cm 4807.

Financial Services and Markets Act

Barbara Follett: To ask the Chancellor of the Exchequer what the next stage of public consultation in respect of orders implementing the Financial Services and Markets Act 2000 will involve; and when it will be carried out. [156488]

Miss Melanie Johnson: We are today publishing a further batch of consultation documents:

Disclosure of Confidential Information Regulations 2001

Mutual Societies Order 2001

Communications by Auditors Regulations 2001

Control of Business Transfers (Requirements on Applicants) Regulations 2001

Transitional Provisions, Repeals and Savings (Financial Services Compensation Scheme) Order 2001

Transitional Provisions (Ombudsman Scheme and Complaints Scheme) Order 2001.

These documents will be available shortly on the Treasury website (www.hm-treasury.gov.uk/pub/html/reg/index.html). Copies have been placed in the Libraries of both Houses. Hard copies are available from Deirdre Barrie at the Treasury on 020 7270 1634. Responses to consultation are requested by 25 May 2001.

Contaminated Land

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the first year take-up in the north-west of the 150 per cent. advance payable tax credits for contaminated land. [154612]

Mr. Timms: No regional estimates are available for the take up of this tax credit. First year take-up is estimated at £15 million nation-wide.

National Insurance

Mr. Field: To ask the Chancellor of the Exchequer if he will list the dates on which the *(a)* operational and *(b)* policy making divisions dealing with national insurance were transferred from his Department to the Treasury. [156073]

Dawn Primarolo: The Social Security Contributions (Transfer of Functions etc.) Act 1999 transferred National Insurance policy functions from the Department of Social Security to the Treasury and operational functions from the Department of Social Security to the Inland Revenue on 1 April 1999. Policy officials and staff in the Contributions Agency transferred into the Inland Revenue on that date. Northern Ireland officials working on National Insurance also transferred into the Inland Revenue on that date.

Income Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) if he will estimate the gain in *(a)* cash terms and *(b)* percentage terms for each income decile of people of pension age from change in the level of the basic rate income tax introduced in April 2000; [151311]

(2) what estimate he has made of the *(a)* average and *(b)* median gain to pensioners from cutting the basic and lower rates of income tax on (i) savings income, (ii) dividends income, (iii) pension income, (iv) earnings income and (v) all other income to zero; and if he will make a statement. [151313]

Miss Melanie Johnson: The average (mean) gains to people over state retirement pension age from cutting the starting and basic rates of income tax in 2001–02 are given in the table. The median gains would be zero as some six to 10 pensioners pay no tax at all.

For people of state retirement pension age, cutting basic and starting rates of tax to zero for income from:	*Average (mean) annual gains (£)*
(i) savings	118
(ii) dividends	22
(iii) pensions	333
(iv) earnings	76
(v) other	7

For people over state retirement pension age in 2001–02, estimates for the gains from a 1p cut in the basic rate of income tax by each income decile are shown in the table.

Decile	*Gain for each decile group (£ million)*	*Percentage gain*
Lowest	0	0
2nd	0	0
3rd	0	0
4th	0	0
5th	0	0
6th	0	0
7th	Neg	0.5
8th	15	8.5
9th	40	21
Highest	135	70
All	195	100

These estimates are based on the Survey of Personal Incomes and are consistent with the November 2000 pre-Budget report.

Motorcycling (VAT)

Mr. Todd: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 March 2001, *Official Report*, column 34W, on VAT, if he will extend VAT exemption on motorcycle helmets to vital replacement parts and to the safety clothing worn by motorcyclists. [156112]

Dawn Primarolo: Under agreements with our European partners we cannot introduce a zero rate for accessories to motorcycle helmets or for safety clothing worn by motorcyclists.

Departmental Policies (Luton, South)

Ms Moran: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of his Department's policies and actions since 2 May 1997. [156159]

Miss Melanie Johnson: Luton, South, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the General Election, claimant unemployment in the constituency has fallen by 1,315 or 40 per cent., youth unemployment is down by 85 per cent., and long-term unemployment has fallen by 75 per cent.

Macro-economic stability is being complemented at the micro-economic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of December 2000, the New Deal for 18 to 24-year-olds had helped 966 young people in Luton, South constituency gain valuable skills and experience—386 (40 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle income families. In August 2000, 1,500 families in the constituency were benefiting from WFTC.

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The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 12,900 in Luton, South, will receive an above-inflation increase in the basic State pension from April 2001. Single pensioners will receive an extra £5 a week, and couples will receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 7,900 in Luton, South.

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156241]

Miss Melanie Johnson: Great Grimsby, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the General Election, claimant unemployment in the constituency has fallen by 970, or 22 per cent., youth unemployment is down by 72 per cent., and long-term unemployment has fallen by 74 per cent.

Macro-economic stability is being complemented at the micro-economic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of December 2000, the New Deal for 18–24 year olds had helped 1,974 young people in Great Grimsby constituency gain valuable skills and experience—991 (50 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle income families. In August 2000, 3,400 families in the constituency were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 15,500 in Great Grimsby, will receive an above-inflation increase in the basic State pension from April 2001. Single pensioners will receive an extra £5 a week, and couples will receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 10,000 in Great Grimsby.

Retirement Statistics

Mr. Field: To ask the Chancellor of the Exchequer if he will estimate the numbers of *(a)* men and *(b)* women due to retire in each of the next 10 years. [156104]

Miss Melanie Johnson *[holding answer 29 March 2001]:* The information is given in the following table provided by the Government Actuary's Department. It shows the projected number of men and women who will reach state retirement age in each of the next 10 years. The calculations take account of the change to women's state retirement age from 60 to 65 years which will be phased in between 2010 and 2020.

Projected number of males and females reaching state retirement age, United Kingdom

Thousand

Mid-year to mid-year period	*Males*	*Females*
2001–02	271	305
2002–03	275	333
2003–04	276	349
2004–05	273	346
2005–06	258	350
2006–07	279	447
2007–08	304	411
2008–09	319	385
2009–10[1]	316	316
2010–11[1]	321	184

[1] The number of women reaching state retirement age in these years is affected by the change to women's state retirement age from 60 to 65 years which will be phased in between April 2010 and April 2020.

Source:
Government Actuary's Department: calculations based on 1998-based national population projections.

Inland Revenue

Mr. Welsh: To ask the Chancellor of the Exchequer how many *(a)* personal computers, *(b)* servers, *(c)* printers, *(d)* fax machines and *(e)* vehicles were based with the Inland Revenue in (i) Scotland and (ii) the United Kingdom in (A) 1998–99 and (B) 1999–2000. [155309]

Dawn Primarolo *[holding answer 26 March 2001]:* The information requested is as follows:

	Scotland	*UK*
1998–99		
(a) Personal Computers	7,160	63,173
(b) Servers	105	1,228
(c) Printers	1,497	13,787
(d) Fax Machines[1]	n/a	—
(e) Vehicles[2]	—	1,282
1999–2000		
(a) Personal Computers	7,159	63,268
(b) Servers	85	711
(c) Printers	1,408	12,753
(d) Fax Machines[1]	n/a	—
(e) Vehicles[2]	1,653	—

[1] No central records are available
[2] Central records do not give a separate figure for Scotland

Mr. Welsh: To ask the Chancellor of the Exchequer how much the Inland Revenue spent on education and training of employees in *(a)* Scotland and *(b)* the United Kingdom in (i) 1998–99 and (ii) 1999–2000. [155316]

Dawn Primarolo *[holding answer 26 March 2001]:* A comprehensive breakdown of the total amounts spent on training by the Inland Revenue in Scotland is not available.

The figures for the United Kingdom as a whole were £27,933,596 and £34,308,279 for 1998–99 and 1999–2000, respectively.

Education Expenditure (Wales)

Mr. Alan Williams: To ask the Chancellor of the Exchequer how much of his Budget allocation to Wales was calculated to match the money to be paid directly to schools in England. [156533]

Mr. Andrew Smith: The Government announced an additional £100 million over the next three years for the National Assembly for Wales representing the share for Wales of the overall additional public spending announced in the Budget. It is for the Assembly to decide how it allocates this additional provision reflecting its priorities.

Public Expenditure

Mr. Paul Marsden: To ask the Chancellor of the Exchequer if he will make a statement on the forecasts his Department has made of the impact on the economy of reducing national public spending by specified increments over the next three years. [156580]

Mr. Andrew Smith: Forecasts for the UK economy were set out in Budget 2000, based on all relevant information including the Government's spending plans.

Spending Review 2000 provided £43 billion extra resources for public services and infrastructure. Cuts to these affordable plans would harm key services as well as threatening the necessary renewal and modernisation of the country's capital stock.

Departmental Advertising

Mr. Ian Bruce: To ask the Chancellor of the Exchequer what major advertising campaigns his Department is carrying out; and what the cost and duration of each is. [154267]

Dawn Primarolo *[holding answer 19 March 2001]:* At the present time HM Treasury is not conducting any major advertising campaigns.

Promotional Campaigns

Mr. Lansley: To ask the Chancellor of the Exchequer if he will list the television, newspaper and radio advertising and other promotional campaigns conducted by *(a)* his Department, *(b)* its agencies and *(c)* its departmental public bodies, in each of the past five years, showing for each the expenditure incurred by his Department; and if he will make a statement. [153422]

Dawn Primarolo *[holding answer 12 March 2001]:* With regards to the advertising campaigns by HM Treasury, I refer the hon. Member to the reply given by my hon. Friend the Economic Secretary to the hon. Member for Hertsmere (Mr. Clappison) on 15 December 2000, *Official Report*, column 297W, and the reply given to the hon. Member for Guildford (Mr. St. Aubyn) on 18 May 2000, *Official Report*, column 257W, by my right hon. Friend the Chief Secretary. Information on advertising costs for the agencies and departmental public bodies of the Treasury could be obtained only at disproportionate cost.

Departmental IT Projects

Mr. Field: To ask the Chancellor of the Exchequer if he will list the IT projects currently undertaken in his Department; and if he will state the *(a)* expected completion date and *(b)* cost of each project. [151513]

Dawn Primarolo *[holding answer 26 February 2001]:* The information is in the table.

The costs shown for each of the IT projects cover externally provided hardware, software and implementation costs and may, in addition, cover other costs such as training where this has been purchased as part of the initial contract placed with the external contractor. The costs of in-house project development are not included. Support and on-going maintenance costs are excluded.

Probity and value for money in contracting for IT projects is ensured through compliance with EC public procurement rules, UK Government domestic procurement policy and best practice guidance, Government accounting rules and National Audit requirements.

Only IT projects with estimated costs of over £250,000, on the basis described above, are included in the table.

HM Treasury

IT project	*Expected date of completion*	*Cost (£000)*
Upgrading the Treasury's desktop to incorporate Windows and Office 2000 products	March 2001	2,500
Redevelopment of the Treasury's public website (www.hm-treasury.gov.uk)	June 2001	[1]250–300
Replacement for FAMIS, the Treasury's domestic accounting system	October 2001	[1]700–900
Procurement of a Treasury search engine to provide a single access point to information in the electronic document management system, the intranet, the GSI and sites of particular Treasury interest on the internet	November 2001	500
Replacement of the Treasury Accounting System (TACSYS) which manages the Consolidated Fund, the National Loans Fund and related activities	October 2002	1,100

[1] Cost range given as cost is dependent on chosen functionality.

Mr. Field: To ask the Chancellor of the Exchequer if he will list the IT projects his Department plans to undertake in the next year; and if he will state in each case the *(a)* expected date of commencement and completion and *(b)* cost. [151466]

Dawn Primarolo *[holding answer 26 February 2001]:* The information is in the table.

The costs shown for each of the IT projects cover externally provided hardware, software and implementation costs and may, in addition, cover other costs such as training where this will be part of the initial contract to be placed with the external contractor. The costs of in-house project development are not included. Support and ongoing maintenance costs are excluded.

Probity and value for money in contracting for IT projects is ensured through compliance with EC public procurement rules, UK Government domestic procurement policy and best practice guidance, Government accounting rules and National Audit requirement.

Only IT projects with estimated costs of over £250,000, on the basis described above, are included in the table.

HM Treasury

IT project	*Expected date of commencement*	*Expected date of completion*	*Cost (£000)*
Adding electronic records management capabilities to the Treasury's electronic document management system	April 2001	November 2001	[1]250–300
The installation of a Treasury management information system to collect and process data in order to produce a set of consolidated financial accounts eventually encompassing the whole of government	[2]Summer 2001	[3]—	[4]—

[1] Cost range given as cost is dependent on chosen functionality
[2] The intention to procure was advertised via OJEC in August 2000 with planned contract signing to take place in early summer 2001
[3] The roll out/implementation of the solution will be dependent on the solution adopted. Therefore no completion date is provided.
[4] As the evaluation of tenders received is being undertaken at the moment any publication of likely costs will prejudice future negotiations. Therefore no costings are provided.

Securities Market

Mr. Denzil Davies: To ask the Chancellor of the Exchequer which proposals by the European Commission relating to the regulation of the securities market will require legislation in the UK to be implemented. [156144]

Miss Melanie Johnson: Proposals that are formulated as directives, if adopted, would be implemented by UK legislation.

Office for National Statistics

Mr. Nicholls: To ask the Chancellor of the Exchequer what assessment he has made of the amount of time businesses are required to take providing data for the Office for National Statistics; and if he will examine ways of reducing it. [155750]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Patrick Nicholls, dated 2 April 2001:

As National Statistician, I have been asked to reply to your recent question on the amount of time businesses are required to take providing data for the Office for National Statistics (ONS) and if this can be reduced (155750).

The ONS is extremely conscious of its responsibility to reduce the costs to business of complying with its surveys. Minimising the burden on suppliers of data is one of the ONS's key aims. The ONS produces an Annual Compliance Plan which charts the compliance costs by inquiry. This contains details of compliance-reducing initiatives that are either being undertaken, or are in the pipeline, the compliance target for the current year and the profile of compliance costs over a four year timescale. A copy of the Compliance Plan for 1999–2000 is available in the House of Commons Library.

Regular reviews of surveys are carried out to examine wither there is a continuing need for them. Long term plans for bringing down compliance costs include greater use of administrative data, collecting data over the internet, developing commercial accounting software to include a statistics module and sharing the burden more equally among medium size firms.

Mr. Nicholls: To ask the Chancellor of the Exchequer what the rate of compliance is with the annual business inquiry financial questionnaire circulated by the Office for National Statistics; and what penalties exist for non-compliance. [155749]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Patrick Nicholls, dated 29 March 2001:

As National Statistician, I have been asked to reply to your recent question on the rate of compliance with the Annual Business Inquiry Financial Questionnaire and what penalties exist for non-compliance (155749).

In 1999, 86 per cent of the businesses included in the Annual Business Inquiry completed the Financial Questionnaire. The Annual Business Inquiry is conducted on a statutory basis using powers provided by the Statistics of Trade Act 1947. Businesses that do not respond are liable to prosecution under section 4(1) of the Act. The maximum penalty is a fine of £2,500. However, enforcement action is only used as a last resort when all other efforts, such as postal and telephone reminder action, have failed to secure the return.

The Office for National Statistics uses statutory powers because voluntary surveys would have very low response rates. This would lead to unrepresentative samples and biased results, larger sample sizes with many more businesses receiving questionnaires, and to those businesses which chose to reply being unfairly burdened.

FOREIGN AND COMMONWEALTH AFFAIRS

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Foreign and Commonwealth Affairs how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155238]

Mr. Robin Cook: To the best of my knowledge no meetings with hon. Members have been cancelled by my Ministers since 1 January 2001.

If meetings need to be rescheduled, alternative dates are offered as a matter of course.

Peter Tatchell

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has protested to the Belgian Government at the failure of its uniformed police and security officials to protect Mr. Peter Tatchell against assault and to arrest his assailants. [155754]

Mr. Wilson: The Embassy in Brussels has raised the matter with the Belgian Minister of Foreign Affairs.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has protested to the Government of Zimbabwe over the assault on Mr. Peter Tatchell by members of President Mugabe's entourage in Brussels. [155753]

Mr. Wilson: As the incident took place in Belgium, and we have raised the matter with the Belgian Authorities.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press the Belgian authorities to seek the prosecution of those responsible for assaulting Mr. Peter Tatchell in Brussels. [155755]

Mr. Wilson: The Embassy in Brussels has raised the matter with the Belgian Ministry of Foreign Affairs. This is a matter for the Belgian police. It is their decision whether or not to prosecute.

Surveillance

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the competence of *(a)* the EU and *(b)* Governments of member states in surveillance and interception-related matters. [155468]

Mr. Vaz *[holding answer 26 March 2001]:* Directive 97/66/EC concerning the Processing of Personal Data and the Protection of Privacy in the Telecommunications Sector deals with certain issues relating to the confidentiality of communications and is implemented in the United Kingdom by the Regulation of Investigatory Powers Act 2000. This Directive was made under Article 95 TEC (previously Article 100a) which provides for legislation for the establishment and functioning of the Internal Market.

The Regulation of Investigatory Powers Act 2000 also implements the relevant provisions of the Convention on Mutual Assistance in Criminal Matters between the member states of the European Union.

Treaty of Nice

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Doncaster, Central (Ms Winterton) of 20 March 2001, *Official Report*, column 109W, on the treaty of Nice, if he will define the term "uniting of Europe"; and if he will indicate to which previous generations he refers. [156274]

Mr. Vaz *[holding answer 30 March 2001]:* Europe has been divided for generations by wars and the Iron Curtain. Enlargement is an historic opportunity to end that division and entrench peace, stability, free markets and democracy across our continent.

Visa Applications

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many visa applications the Minister for Europe *(a)* reviewed and *(b)* overturned since he took office; [156105]

(2) how many visa applications were *(a)* received and *(b)* overturned by Ministers responsible for entry clearance between May 1997 and October 1999. [156126]

Mr. Vaz *[holding answer 30 March 2001]:* I refer the hon. Member to the answer I gave to the hon. Member for Bury St. Edmunds (Mr. Ruffley) on 22 March 2001, *Official Report*, column 316W.

Iranian Jews

Ms Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Iranian Government regarding the condition of the Iranian Jews imprisoned on charges of spying; and if he will make a statement. [156390]

Mr. Wilson: We and our European partners take every opportunity to raise with Iran our concerns about the unsatisfactory nature of the case, and will continue to do so. The subject was last raised by my hon. Friend the Member for Neath (Mr. Hain) in a meeting with the Iranian Ambassador on 22 January. I note that one of the prisoners, Mr. Ramin Nematizadeh, was released on 5 March when his prison term expired. Our Embassy in Tehran has also reported on the treatment of the prisoners; they have access to newspapers, kosher food, visits from their families twice a week and a group cell.

Science and Technology Unit

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will include engineering within the title of the Science and Technology Unit to be established in his Department. [156017]

Mr. Battle: The remit of the Science and Technology Unit will include responsibility for supporting the international science, engineering and technology (SET) activities of the UK research community and industry. It will work closely with other Government Departments and external organisations, including the engineering institutes and university engineering departments. Its designation as Science and Technology Unit covers all aspects of SET, by analogy with the designation of the Office of Science and Technology.

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the terms of reference for the Science and Technology Unit to be established within his Department. [156016]

Mr. Battle: The new Unit will be responsible for supporting wealth-creation in the United Kingdom by the provision of information about science, engineering and technology developments in key overseas countries to a customer base in UK industry and the research community; for the FCO input into policy and intergovernmental work in a number of areas related to science, engineering and technology; and for ensuring that the work of the FCO Science and Technology network is carefully co-ordinated within partner organisations and promotes the UK as a

modern, technologically advanced country in order to encourage R&D collaboration, inward investment and trade in high-tech sectors.

CULTURE, MEDIA AND SPORT

Departmental Policies (Ilford, North)

Ms Perham: To ask the Secretary of State for Culture, Media and Sport what initiatives embarked upon since May 1997 have benefited Ilford, North; and if he will make a statement. [152034]

Mr. Chris Smith: Since May 1997, my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency and which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by the Government's Plan for Sport. We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas, which is recognised within the most recent progress report Building on PAT10.

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a Taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next 10 Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Ilford, North.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Ilford, North

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 29 national lottery awards to Ilford, North, totalling £4,227,008. This includes an award from the Millennium Festival of £25,000.

Nine Millennium Award Winners have been identified from Ilford, North and between them they have received grants totalling £23,357.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 7,000 people aged 75 or over living in the Ilford, North constituency.

Redbridge Library Authority, which includes libraries in the Ilford, North constituency, was a partner with nine other authorities in a consortium which received an award of £160,739 from the 2000–01 DCMS/Wolfson funding round for a project promoting family reading.

Since May 1997, Ministers have stressed the importance of all museums in the delivery of key services such as education and in encouraging social inclusion. The London borough of Redbridge is one of the local authorities that picked up this message I was pleased to open the new Redbridge Community Museum last September following a £182,000 Heritage Lottery Fund grant and £260,000 of council support. The London Museums Agency (funded by Resource) was pleased to offer its expertise in the development of this project.

There are of course other initiatives in the wider context of the region which may have an effect on the Ilford, North constituency. These are:

London Arts Board has received an additional £12,153,000 from the Arts Council this year to support arts and cultural activity across the region.

From 1 April 1999 Redbridge residents under 16 were able to benefit from free admission to the Science Museum, the Natural History Museum, the Victoria and Albert Museum, the Imperial War Museum, HMS Belfast, the Cabinet War Rooms, the National Maritime Museum and the Museum of London. From 1 April 2000 Redbridge residents over 60 were able to gain free admission to most of the above. Consideration is being given to how access to all the museums and galleries sponsored by DCMS might be extended further.

Under the Space for Sport and Arts scheme Essex local education authority has been allocated up to £2.2 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

Free Television Licenses

Mr. Ennis: To ask the Secretary of State for Culture, Media and Sport if he will estimate the cost of giving free TV licences to all pensioners aged over *(a)* 65 and *(b)* 70 years. [156239]

Janet Anderson: The estimated cost of providing free television licences for everyone aged 65 years or over is £714 million a year, while providing free television licences for everyone aged 70 years or over would cost an estimated £529 million a year, excluding administrative costs in both cases.

Foot and Mouth

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport which overseas countries are being targeted most extensively with Come to Britain publicity since the outbreak of foot and mouth disease. [156333]

Janet Anderson: The British Tourist Authority (BTA) has identified the following nine key markets as the focus for its most intensive campaign of reassurance and information for prospective visitors to Britain: USA, France, Germany, the Netherlands, Belgium, Australia, Switzerland, Ireland and Canada.

The BTA is also offering additional information in all 27 of its key markets and on its 'visitbritain.com' website.

Regional Tourist Boards

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport how many *(a)* male and *(b)* female members there are on each regional tourist board. [156232]

Janet Anderson: The answer is set out in the table:

Regional Tourist Board	*Male Board Members*	*Female Board Members*
Cumbria	10	6
East of England	14	2
London	13	4
Northumbria	19	1
North West	38	3
Southern	12	4
South East	9	3
South West	5	4
Yorkshire	25	15
Heart of England	13	1

Regional Cultural Consortia

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport how many *(a)* male and *(b)* female members there are on each of the regional cultural consortia. [156230]

Mr. Alan Howarth: The information is in the table.

Region Cultural Consortium	*Male*	*Female*
Living East	8	8
East Midlands Cultural Consortium	17	7
Culture North East	9	10
North West Cultural Consortium	14	6
South East England Cultural Consortium	10	7
Culture South West	9	6
West Midlands Life	16	7
Yorkshire Cultural Consortium	12	7

Note:
These figures include the Chairs of the Consortiums.

Listed Events

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on paragraph 9 of the ITC Code on Sports and Other Listed Events, regarding live transmission coverage of listed events. [156240]

Janet Anderson: Listing an event seeks to ensure that live rights are made available to free to air terrestrial broadcasters on fair and reasonable terms. As paragraph 9 of the ITC code explains, it does not guarantee that the event will be broadcast live. Rights holders are not obliged to sell live rights and broadcasters are not obliged to purchase them or to show the events. However, any UK broadcaster that obtains the rights to live coverage of the whole or part of a listed event cannot broadcast exclusively live in the UK without first seeking the consent of the ITC.

Departmental Policies (Stroud)

Mr. Drew: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Stroud constituency of his Department's policies and actions since 2 May 1997. [152403]

Mr. Chris Smith *[holding answer 6 March 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by the Government's Plan for Sport. We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report Building on PAT10.

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–4. In taking forward our aim to develop the educational

potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a Task Force which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public Internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Stroud.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Stroud

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 137 national lottery awards to Stroud, totalling £2,287,534.

Twenty Millennium Award Winners have been identified from Stroud and between them they have received grants totalling £55,981.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 7,500 people aged 75 or over living in the Stroud constituency.

English Heritage (EH) have offered repairs grants to Frampton Manor Barn—£140,000 and Tanhouse Farm Barn—£146,456 (no payment has yet been made). They have also approved a Heritage Lottery Fund grant under the Joint Places of Worship Scheme to St George's Church, Nailsworth—£150,300; and awarded Stroud Heritage Economic Regeneration Scheme £50,000 in 1999–2000 and 2000–01.

Stroud is a partner in the Gloucestershire Active Sports Partnership. The County benefits from £31,000 of Exchequer funding for this programme per annum. I understand that a total of £1.53 million of Lottery funding spread over seven years is the planned investment figure for the Active Sports Partnership for the County.

South West Arts Board has received an additional £1,778,000 from the Arts Council this year to support arts and cultural activity across the region.

Departmental Policies (Warrington, North)

Helen Jones: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the Warrington, North constituency, the effects on Warrington, North of his Department's policies and actions since 2 May 1997. [152314]

Mr. Chris Smith *[holding answer 6 March 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by the Government's Plan for Sport. We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report Building on PAT10.

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing creative partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an

additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the people's network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

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We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

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My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Warrington, North.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Warrington, North

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 85 national lottery awards to Warrington, North, totalling £3,112,071. This includes an award from the Millennium Festival of £218,000.

Three Millennium Award Winners have been identified from Warrington, North and between them they have received grants totalling £16,741.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 5,000 people aged 75 or over living in the Warrington, North constituency.

Warrington Library Authority, which includes libraries in the Warrington, North constituency, was a partner with 17 other authorities in a consortium which received an award of £215,992 from the 2000–01 DCMS/Wolfson funding round for a project promoting reading to young people.

English Heritage have offered £12,000 to St Oswald's Church, (£10,427 paid to date).

Sport England Exchequer Funded Programmes in Warrington, North are:

41 primaries plus one special school have received whole school TOPS training

352 members of staff trained in generic TOPS

39 schools have received £20k worth of equipment plus training

17 schools have attended TOPS Athletics training

11 schools have received whole school gymnastics training

three secondary schools accessed Challenge Funding linking with two local sports clubs

five secondary schools and 27 primaries plus the special school have been involved in a cricket development programme which has provided equipment, coaching, competitions and links to local clubs

subsequently a cricket development forum has been established

over 1000 young people, from the Warrington, North area, have participated in trials, training and competition related to local and county youth games

two out of the six secondary schools have achieved Sportsmark Awards.

There are of course other initiatives in the wider context of the region which may have an effect on the Warrington, North constituency. These are:

North West Arts Board has received an additional £5,595,000 from the Arts Council this year to support arts and cultural activity across the region.

From 1 April 1999 Warrington residents under 15 were able to benefit from free admission to the National Museums and Galleries on Merseyside and to the Museum of Science and Industry in Manchester. From 1 April 2000 Warrington residents over 60 were able to gain free admission to both of the above. Consideration is being given currently to how access to the national collections might be extended further.

Departmental Policies (Middlesbrough, South and Cleveland, East)

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if he will set out, including statistical information relating as directly as possible to the

constituency, the effect on the Middlesbrough, South and Cleveland, East constituency of his Department's policies and action since 2 May 1997. [153286]

Mr. Chris Smith *[holding answer 12 March 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one-in-four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the people's network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres ; and a further £50 million to stimulate development of content to support the network.

We have set up a regional cultural consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a "Green Paper Culture and Creativity: The Next 10 Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Middlesbrough, South and Cleveland, East.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Middlesbrough, South and Cleveland, East

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 114 national lottery awards to Middlesbrough, South and Cleveland, East totalling £6,476,562.

Eighteen millennium award winners have been identified from Middlesbrough, South and Cleveland, East and between them they have received grants totalling £34,488.

On 21 February, I announced the 16 areas in which it is hoped creative partnership pilots will be developed. Tees Valley is one of these areas. The Arts Council of England, which is delivering the initiative, will be consulting schools and creative organisations in each location over the next few months to establish which bodies will be involved. Details on how school and cultural organisations can take part in creative partnerships will be available from the Arts Council from early May. Funding for the initiative will come on stream in April 2002.

Under the Space for Sport and Arts scheme, Middlesbrough local education authority and Redcar and Cleveland local education authority have both been allocated up to £1.75 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

School sport co-ordinators will be based in families of schools, in areas of greatest need, linked wherever possible through Local Education Authorities to specialist sports colleges. They will provide opportunities for young people to compete regularly for their school and take part in a wide range of sports. By 2004, there will be about 250 families established with 1,000 secondary schools and up to 6,000 primary schools benefiting directly from this programme. Middlesbrough, South and Cleveland, East was awarded £341,830 in the second round of awards. It has one partnership development manager, four school sport co-ordinators and 17 primary link teachers.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 census indicate that there were approximately 5,000 people aged 75 or over living in the Middlesbrough, South and Cleveland, East constituency.

Middlesbrough Library Authority was a partner in the Information North consortium which received £498,000 in 1998–99 for an ICT Project.

Northern Arts has received an additional £2,936 million from the Arts Council this year to support arts and cultural activity across the region.

Departmental Policies, (South Shields)

Dr. David Clark: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the South Shields constituency, the effects on South Shields of his Department's polices and actions since 2 May 1997. [153091]

Mr. Chris Smith *[holding answer 13 March 2001]*: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my right hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by the Government's Plan for Sport. We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report Building on PAT10.

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–4. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing creative partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the people's network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a regional cultural consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including South Shields.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

South Shields

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 95 national lottery awards to South Shields, totalling £3,469,732. This includes two awards from the Millennium Festival totalling £100,000.

Thirty-Six Millennium Award Winners have been identified from South Shields and between them they have received grants totalling £82,128.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 5,800 people aged 75 or over living in the South Shields constituency.

English Heritage have offered Marsden Limekilns £5,000.

There are of course other initiatives in the wider context of the region which may have an effect on the South Shields constituency. These are:

Northern Arts Board has received an additional £2,936,000 from the Arts Council this year to support arts and cultural activity across the region.

all Northern constituencies will be influenced by the Youth Music Action Zone in Gateshead, who have been offered £350,878 from the National Foundation for Youth Music for work across the whole region.

a joint project to create a large objects store with Beamish—the joint project has been awarded £800,000 over the three years of the Designated Challenge Fund.

Under the Space for Sport and Arts scheme South Tyneside local education authority has been allocated up to £2.2 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

South Tyneside Library Authority was a partner in the Information North consortium which received £498,000 in 1998–99 for an ICT project.

Poetry

Gillian Merron: To ask the Secretary of State for Culture, Media and Sport what support his Department gives to supporting and promoting poetry. [156219]

Mr. Alan Howarth: My Department has supported a range of poetry initiatives including National Poetry Day, Poems on the Underground and the T. S. Eliot Prize.

In 2000–01, the Arts Council of England spent £1.649 million directly on literature. Of this nearly two-thirds has been spent either directly or indirectly on promoting and supporting a variety of poetry organisations including the Poetry Society and the Poetry Book Society, poetry publishers including Carcanet Press and Anvil Press Poetry and poetry magazines including PN Review.

The Arts Council recently announced the biggest ever increase in literature funding from 2002–03. This increase includes a 57 per cent. increase for the Poetry Book Society and a 42 per cent. increase for the Poetry Society.

Poetry has also benefited from support to cross-artform initiatives such as the New Audiences programme and the National Lottery which awarded the Poetry Society £450,000 for an initiative which employed poets throughout England to encourage the reading and writing of poetry.

Finally, the National Endowment for Science, Technology and the Arts is making awards directly to individual poets to support their creative development. To date, it has awarded Carol Ann Duffy, Lavinia Greenlaw, Gwyneth Lewis and Tom Paulin nearly £300,000 to enable them to create new work and develop their talent.

Trafalgar Square

Mr. Fabricant: To ask the Secretary of State for Culture, Media and Sport what plans he has to preserve the Standard Units of Measurement embedded in the north wall of Trafalgar Square when the new steps are built; and if he will make a statement. [156018]

Mr. Hill: I have been asked to reply.

Trafalgar Square is now a matter for the Mayor of London. He took control of the Square on 1 October last year. I understand from TfL who are to manage the works associated with the "World Squares for All" project that the Standard Units of Measurement will be preserved. The wall plaques will be re-sited in the wall to the east of the new staircase and the foot marker plates can be inset into the bottom step of the new staircase.

HOME DEPARTMENT

Baton Rounds

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department if he will make a statement on the development of a new baton round. [156852]

Mr. Straw: The then Under Secretary of State for Defence, my hon. Friend the Member for Warley (Mr. Spellar), announced on 10 June 1997, *Official Report*, column 372W, that the Government had put in hand a programme to develop improved baton round equipment with reduced injury potential. A new baton round, designated the L21A1, is now available and has been issued to police forces in England, Wales, and Northern Ireland, and to the Army. The existing baton round will be withdrawn once all personnel have been trained in the use of the new round. It is planned to begin to deploy the new round on an operational basis from 1 June. Revised guidelines for the use of baton rounds in situations of public disorder which apply in the same terms in England, Wales and Northern Ireland were issued to the police on 1 August 1999.

Used, as it will be, with a new optical sight, the new baton round is more consistently accurate than the old, and the probability of it causing serious or life-threatening injury has been reduced. This has been verified by an independent medical assessment, a copy of which has been placed in the Library today by my right hon. Friend the Secretary of State for Defence. Although there will be smaller risk of serious injury or death when the new baton round is used, that risk has not been eliminated, and the new round, like the old, will be used in situations of public disorder only in accordance with the existing strict guidelines. Details of use in Northern Ireland will, as now, be reported on every occasion and be copied to the Office of the Police Ombudsman for Northern Ireland and to the new Policing Board when it is established.

In addition to its possible use in situations of public disorder, the Association of Chief Police Officers (ACPO) considers that the improved accuracy of the new baton round makes it suitable for use in dealing with people who are posing an immediate threat to life in circumstances in which use of a firearm would otherwise be necessary.

The Government share the view of the ACPO and of the Independent Commission on Policing for Northern Ireland that efforts should continue to find an acceptable, effective and less potentially lethal alternative to the plastic baton round. A research programme to that end has been embarked upon, and a document reporting the outcome of its first phase and setting out the next steps in the work programme has also been placed in the Library today by my right hon. Friend the Secretary of State for Northern Ireland.

Criminal Records Bureau

Mr. Andy King: To ask the Secretary of State for the Home Department if he will announce the fees to be charged for disclosures issued by the Criminal Records Bureau. [156867]

Mr. Charles Clarke: I announced on 6 February 2001, *Official Report*, column 504W, that Standard and Enhanced Disclosures would be issued free of charge to volunteers, but that work was continuing on the general fee levels. We have now completed that task. As I have made clear, it remains our intention that the Bureau will be self-financed by means of the charges that it makes, but we have been determined to keep fees as low as possible. We propose to charge a fee of £12 per disclosure. Regulations will be laid in due course.

Crime Statistics

Mr. Gardiner: To ask the Secretary of State for the Home Department what progress is being made in relation to the implementation of the recommendations contained within the Review of Crime Statistics. [156869]

Mr. Straw: Following the end of the consultation period in October 2000, the Review of Crime Statistics—which aims to enhance the accuracy and consistency of crime recording and to improve the quality of statistical data—has been subject of a review by a group of experts drawn from key stakeholder organisations and academia. The group's function was to consider the continued relevance and appropriateness of the recommendations in light of the consultation. The Expert's Group report indicates their continued support for the Review of Crime Statistics recommendations. A copy of their conclusions is being made available on the Home Office website (www.homeoffice.gov.uk), and has been placed in the Library.

An Implementation Group with representation from the main stakeholders, including the Association of Chief Police Officers, has been established by the Home Office, to oversee the delivery of the review's 66 recommendations over a five year period. Its key deliverables will include:

- More consistent recording of crimes by police forces throughout England and Wales
- The use of internet to collect and disseminate statistical data
- Collection of new information and better use of existing information to help explain crime trends
- Improving the machinery of government to help limit the demands on police officers.

In July 2000, Her Majesty's Inspectorate of Constabulary (HMIC) published its report "On the Record", which also included eight recommendations relating to crime recording and associated issues. As the two pieces of work serve to support a consistent view on the subject, it has been agreed to take forward work on the HMIC recommendations within the implementation of the Review of Crime Statistics.

Rail Station Safety

Mr. Gibb: To ask the Secretary of State for the Home Department how many violent incidents against members of the public have taken place at *(a)* Wandsworth Town railway station and *(b)* Wandsworth Common railway station in the last month; and what action the Metropolitan police have taken to deal with such incidents. [156172]

Mr. Hill: I have been asked to reply.

The British Transport Police (BTP) are responsible for policing the railways. Between 1 January and 31 March only one notifiable offence of 'violence against the person' has been reported to the BTP. This was a robbery that occurred at Wandsworth Town station on 23 March. This incident is being investigated within Operation Fraser. This is an ongoing operation by the BTP following an increase in robberies throughout the South London area. It involves high profile uniform patrols, intelligence gathering and post incident investigation.

Police Numbers

Mr. Bercow: To ask the Secretary of State for the Home Department (1) pursuant to his answer to the hon. Member for Gravesham (Mr. Pond) of 22 March 2001, *Official Report*, columns 323–28W, on police numbers, if the data provided for the period up to 31 January relied on projections of *(a)* overall numbers, *(b)* wastage, *(c)* recruitment or *(d)* other factors, in place of the actual outturn; [155938]

(2) what the difference is between the calculation of interim police strength figures and the final figures; and if he will make a statement; [155845]

(3) pursuant to his answer to the hon. Member for Gravesham of 22 March 2001, *Official Report*, columns 323–28W, on police numbers, for what reason the figures given in his answer *(a)* were described as interim figures in Home Office Press Release 076/2001 and *(b)* were not described as interim figures in his answer to the hon. Member for Gravesham; and when he expects to publish final figures for 31 January; [155943]

(4) on how many occasions since 2 May 1997 he has published detailed police strength figures which were not previously available in any form *(a)* other than in a Home Office statistical bulletin, *(b)* for any date other than 31 March or 30 September and *(c)* in interim form. [155844]

Mr. Charles Clarke *[holding answer 27 March 2001]:* The figures published on 22 March were supplied by police forces. They were actual police and civilian full-time equivalent numbers as at 31 January 2001, not projections.

The quality of the January data is comparable with that in the standard Statistical Bulletins. All such returns are potentially subject to revision in the light of subsequent amendments received from forces. The revisions appear in subsequent Statistical Bulletins. The next return from forces will provide the six monthly figures from October 2000 to 31 March 2001.

The numbers were described as interim because they were produced between the normal publications for September 2000 and March 2001. They were not full year figures, nor did they purport to be projections of full year figures.

The statistics were produced by a special monitoring exercise undertaken by the Home Office Research, Development and Statistics Directorate. The exercise was

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to enable us to assess the impact on police service strength of the Crime Fighting Fund in its first year of operation, supported by details of recruitment and wastage. As the Crime Fighting Fund is in its first year of operation, the need for such an exercise has not previously arisen.

Details of police strength have been, and continue to be, provided in response to Parliamentary Questions.

Sex Abuse Inquiries

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many police authorities are conducting sex abuse inquiries. [155970]

Mr. Charles Clarke: There is no central record of the number of forces currently conducting sex abuse inquiries. According to a database maintained by Gwent Police, 31 forces are currently carrying out investigations into allegations of historical child abuse.

Asylum Support

Mr. Lidington: To ask the Secretary of State for the Home Department what his policy is on the use of asylum support vouchers for the purchase of *(a)* cigarettes, *(b)* petrol and *(c)* items beyond basic necessities; and if he will make a statement. [156091]

Mrs. Roche: The Sodexho Pass vouchers supplied to asylum seekers supported by the National Asylum Support Service can be exchanged for any goods available in stores participating in the scheme. It is for asylum seekers to determine their individual requirements.

Dr. Tonge: To ask the Secretary of State for the Home Department what plans he has to review the food voucher system for asylum seekers. [156357]

Mrs. Roche: A review of the operation of the National Asylum Support Service's voucher scheme is under way.

Jewish Cemeteries

Dr. Vis: To ask the Secretary of State for the Home Department if he will list the number of Jewish cemeteries that have been desecrated in the last 12 months; and if he will make a statement. [156071]

Mr. Boateng: Information about offences in cemeteries is not held centrally, but I understand that a number of Jewish graves suffered damage last year in various parts of the country and that the details were reported to the police.

I deplore such desecration, whether racially motivated or not.

Al-Muhajiroun

Dr. Vis: To ask the Secretary of State for the Home Department if he will make a statement on the activities of Al-Muhajiroun and Khalifah. [156070]

Mr. Straw: The Government are well aware of the statements made by the Al-Muhajiroun organisation. It would be a matter for the police to investigate whether any criminal offences had been committed.

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for the Home Department if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155976]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as those on recorded crime, cannot be matched in the way requested although set out are examples relating to the London borough of Southwark constituency or the immediate locality:

Targeted Policing Initiative

Under round 1 of the Targeted Policing Initiative the Metropolitan police in partnership with the London boroughs of Islington, Camden and Southwark were awarded £597,000 for a scheme covering these boroughs targeting autocrime through Operation Arrow, which is aimed at 'hotspots' in the three boroughs.

Under round 2 of the initiative the Metropolitan police were awarded £688,000 for a project covering Southwark to tackle hate crime. Methods used will include the creation of local self-help groups defined by cultural, ethnic or lifestyle profile and supported by a dedicated co-ordinator. The use of the rapid hate crime intervention officer will be available, who would have access to a range of evidence collection methods.

Closed Circuit Television (CCTV)

London borough of Southwark was awarded approximately £850,000 for two schemes submitted under round 1 of the CCTV initiative. Housing CCTV Control Centre and Mobile CCTV Scheme was awarded £750,000 to provide a new control centre with the capacity to manage and record 500 cameras. In addition, 50 new mobile cameras will be situated in crime 'hotspots' across the borough. The scheme aims to significantly reduce overall crime, drug-related crime and burglary.

The Car Park Vehicle Crime Prevention Scheme was awarded £100,000 for a 26 camera system, covering six car parks across the borough. The scheme aims to reduce all vehicle crime in the target area by 80 per cent. over three years.

Reducing Burglary Initiative (RBI)

The Metropolitan police in conjunction with the London borough of Southwark were awarded £65,000 under round 1 of the RBI, for a scheme in the West Camberwell area. Interventions include: establishment of

a lock-fitting service to target burglary victims and vulnerable properties and establishment of a detached youth project. The quality of service to victims has been improved and a problem solving approach to burglary and improvements in relevant monitoring and communication systems is being developed. £65,000 was awarded to a scheme in the Parkside Plus area correcting physical vulnerability of vulnerable estates in the target area. It is also helping to develop new ways of working with offenders in the area.

Under round 2 of the RBI, approximately £30,000 was awarded for a scheme in the Herne Hill and Croxted road, West Dulwich areas. This project aimed to tackle situational vulnerability and unmarked property by using electronic alarms and property marking as well as increasing neighbourhood watch activity. £153,000 was awarded for a scheme in the North Southwark Corridor. The scheme aims to improve property marking and to work with offenders and work towards community building.

Youth Offending

Southwark Youth Offending Team (YOT) covers the London borough of Southwark. The Youth Justice Board (YJB) is contributing funding for five intervention schemes and one Bail Supervision Scheme. Approximately £170,000 is being used to fund a Restorative Justice Conferencing Project. Southwark Mediation Centre works with the YOT to provide direct and indirect victim-offender mediation and family group conferencing services. Family Group Conferencing is offered to young people remanded into local authority accommodation, young people subject to throughcare and young people made the subject of Action Plan Orders.

A Positive Parenting and Behavioural Change Programme includes the assessment of cognitive abilities. The YOT caseworkers provide consultation and life supervision via social skills training, anger management and cognitive behavioural interventions. The YJB are contributing £119,000 to this project. The YJB are also providing approximately £117,000 to an Appropriate Alternatives through Skills for Life (Cognitive Behaviour) programme. This project aims to provide integrated effective supervisory and mentoring support for 80 offenders.

Approximately £69,000 is being provided to fund a Development Officer scheme. The Development Officer facilitates cross-borough communication and ensures congruence in development of services. A Parent Support Group has been established with a YJB contribution of approximately £43,000. This project offers support and information to parents and carers of young people who are behaving in an anti-social or criminal manner. The YOT has supervised 26 Parenting Orders since April 2000 and has received positive feedback from parents attending these groups either voluntarily or as a condition of an Order. The YJB are also providing approximately £104,000 to a Bail Support Scheme, being run in partnership with National Association for the Care and Resettlement of Offenders. This has reduced the rate of re-offending while on bail, while also reducing the numbers of young people remanded into local authority accommodation, or custody.

A functional team within the YOT is dedicated to providing preventative and early intervention services. A multi-agency Risk Management Panel has been established, designed to manage the risks presented to the public by a small number of prolific offenders, through an intelligence led approach. This activity will be supported by the Intensive Supervision and Surveillance Project to be launched in July 2001. The YOT has provided and/or co-ordinated a number of crime reduction initiatives including innovative work in schools, alongside police officers, in support of Operation Arrow—a vehicle crime reduction project; the Youth Inclusion Programme in the Elephant and Castle area; and Midnight Basketball in partnership with the Youth Service and the National Playing Fields Association. The YOT provides groupwork programmes in schools for disaffected pupils at risk of exclusion and co-ordinates monthly truancy patrols, which have dealt successfully with over 200 truants in the past year.

Easter and Summer Splash Schemes have been run in the following estates: Aylesbury Estate, Rockingham; Astley Cooper estates; Heygate Estate and Peckham. These schemes were set up across England and Wales to address offending by young people (especially 13–17 year olds). The five areas traditionally associated with youth crime—burglary, motor crime, criminal damage, street robbery and juvenile nuisance all showed significant reductions compared with the corresponding period in the previous year. The combined drop for these crimes was 14 per cent.

More generally, all of the policies of the Home Office will impact on the residents of London borough of Southwark to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 66,195 by the end of December 2000; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

CCTV (Chorley)

Mr. Hoyle: To ask the Secretary of State for the Home Department what effect CCTV cameras in Chorley have had on the reduction of crime in Chorley; and if he will make a statement on crime levels in Chorley in each of the past five years. [156696]

Mr. Charles Clarke: Police operational experience and general research studies show that Closed Circuit Television (CCTV) has considerable crime reduction and detection potential, particularly when used as part of a wider strategy.

Lancashire Police statistics show a reduction of 34 per cent. in the overall crime levels in Chorley town centre in the year following the installation of cameras in December 1996.

An independent assessment into the impact of the Chorley borough mobile CCTV system implemented in May 1999 will be carried out shortly.

Schemes funded under the Crime Reduction Programme CCTV Initiative will be evaluated to build up the knowledge base of what works best in what context. Crime and Disorder Reduction Partnerships will also be evaluating schemes locally.

Crime levels for local Crime and Disorder Reduction Partnerships, including Chorley, have been collected and published for the last 18 months for six types of crime: violence against the person, sexual offences, robbery, burglary dwelling, theft of motor vehicles and theft from motor vehicles.

The latest figures are contained in Home Office Statistical Bulletin 1–01 "Recorded Crime England and Wales: 12 months to September 2000".

Departmental Files

Mr. Rooney: To ask the Secretary of State for the Home Department when the file reference N194181/2 will be released from the enforcement section of IND. [156727]

Mrs. Roche: Further inquiries are being made in this case and a decision will be made as soon as the relevant information has been received.

Criminal Injuries Compensation

Dr. Tonge: To ask the Secretary of State for the Home Department what plans he has to revise the system whereby the awards made to victims of crime are reduced if they have previous medical conditions. [156361]

Mr. Charles Clarke: If an injury sustained by a victim of a crime of violence exacerbates a pre-existing medical condition, any award made under the Criminal Injuries Compensation Scheme in respect of that injury will only reflect the degree of exacerbation. There are no plans to change this.

Dr. Tonge: To ask the Secretary of State for the Home Department what plans he has to revise the current Criminal Injuries Compensation Authority tariffs system. [156362]

Mr. Charles Clarke: In March 2001 Parliament approved, under the affirmative resolution procedure, a package of significant improvements to the Criminal Injuries Compensation Scheme, costing some £20 million in a full year. These included both presentational changes and changes of substance to the tariff of awards. The changes came into force on 1 April 2001.

No further changes to the scheme are planned at this time.

Passports

Dr. Tonge: To ask the Secretary of State for the Home Department what recent discussions he has had with the Passport Office regarding the security of passports processed by the Post Office. [155998]

Mrs. Roche *[holding answer 29 March 2001]:* Officials in the United Kingdom Passport Agency have recently held discussions with the Royal Mail about the security of passports in the post. The Passport Agency is concerned about the number of passports which are reported as "lost in the post" and is seeking to work more closely with the Royal Mail to combat this problem.

Police and Fire Service Training

Mr. Sayeed: To ask the Secretary of State for the Home Department what steps are being taken to improve the quality of Operational Command Training in the Police and Fire Services. [155779]

Mr. Charles Clarke: The main elements of operational command training for the police service in England and Wales are the Command Team Programme, the Strategic Command Course, and the Chief Police Officers Development Programme.

The Director of National Police Training will be leading a fundamental review of senior officer training and development over the next few months. That review will take account of the work to develop a national competency framework for the police service, which is nearing completion, and the establishment of a Police National Training Organisation (NTO) in May 2001.

In the fire service, training in Operational Command is provided partly on a local basis in brigades and at the Fire Service College, Moreton-in-Marsh. At present the training provided at the Fire Service College is based on the current ranks and roles of the Fire Service. These ranks and roles are currently under review and part of this work is the development of National Occupational Standards for Operational Command.

Guidance has also been issued to the Fire Service on Incident Command. In 1999, Her Majesty's Fire Service Inspectorate produced the Fire Service Manual on Incident Command to ensure national unity in the command systems used by all the United Kingdom Fire Brigades.

Emergency Powers Legislation

Dr. Julian Lewis: To ask the Secretary of State for the Home Department (1) what criteria are applied in deciding whether to declare a state of emergency; [156204]

(2) what additional powers a declaration of a state of emergency gives to permit the Government to delay *(a)* county council elections and *(b)* a general election. [156206]

Mr. Mike O'Brien *[holding answer 30 March 2001]:* The Emergency Powers Act 1920 (as amended in 1964) specifies in Section 1(1) that:

> "If at any time it appears to His Majesty that there have occurred, or are about to occur, events of such nature as to be calculated, by interfering with the supply and distribution of food, water, fuel or light, or with the means of locomotion, to deprive the community, or any substantial portion of the community of the essentials of life, His Majesty may, by proclamation . . . declare that a State of Emergency exists".

Once a State of Emergency has been declared regulations may be made, by Order in Council, to secure that essentials of life, and these may confer or impose powers or duties on a Secretary of State, Government Department, or others, to preserve the peace, secure and regulate the supply and distribution of food, water, fuel, light and other necessities; maintain the means of transit or locomotion, and for any other purposes essential to the public safety and the life of the community.

Parliament needs to be sitting (or recalled within five days if adjourned or prorogued) as both Houses need to approve any regulations that have been made within seven days, otherwise they lapse. There is no reference in the Emergency Powers Act 1920 to local or general elections.

Correspondence

Mr. Keetch: To ask the Secretary of State for the Home Department when he will reply substantively to the letter of 24 September 2000 from the hon. Member for Hereford, ref. 1597/1; and if he will make a statement. [154073]

Mr. Boateng *[holding answer 16 March 2001]:* I replied to the hon. Member's letter on 29 March.

Isho Judgment

Mr. Sanders: To ask the Secretary of State for the Home Department if he will make a statement on the Isho judgment. [156519]

Mrs. Roche: I assume the hon. Member is referring to the judgment by the Court of Appeal last December in the case of Isiko. This was a welcome and important judgment, and represents a helpful clarification of the legal position. Consideration of those cases which had been held pending the outcome of this case has now been resumed.

AGRICULTURE, FISHERIES AND FOOD

African Meat Imports

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 12 March 2001, *Official Report*, column 482W, when he was first informed of the risks to animal health of meat imported from Africa. [154213]

Ms Quin: *[holding answer 16 March 2001]:* The possible animal health risk arising from the disease situation in some African countries has been known for many years. That is why long-standing import controls remain in place.

Foot and Mouth

Sir Brian Mawhinney: To ask the Minister of Agriculture, Fisheries and Food how many suspected foot and mouth disease cases have been reported in Cambridgeshire in the past three months; and, in each case, how much time elapsed between notification of the suspected case and the visit of a Ministry veterinary surgeon. [155070]

Ms Quin *[holding answer 22 March 2001]:* In the past three months there has been one suspected case of foot and mouth in Cambridgeshire which proved negative. The case was notified to MAFF, investigated and resolved on 9 March 2001.

Mr. Ruane: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries that have endemic foot and mouth that have exported beef to the UK in the past year. [155291]

Ms Quin *[holding answer 23 March 2001]:* The importation of meat is permitted from a limited number of countries where foot and mouth disease is present and where the veterinary authorities have contained the disease in specific regions. EC rules permit imports from those regions of the relevant countries which are not considered to pose a risk to human or animal health. Fully matured boneless beef, which does not pose an FMD risk may be imported from other regions subject to veterinary certification. Countries to which these controls currently apply are Botswana, Namibia, South Africa, Swaziland, Zimbabwe, Argentina, Brazil, Colombia and Uruguay. Imports of beef have arrived in the UK from all of these countries in the past year with the exception of Colombia where there are no EC approved establishments. Because of their FMD situation prohibitions are currently in place on imports of meat of FMD susceptible species from South Africa, Swaziland and Argentina. All meat imported from third countries is subject to veterinary checks at Border Inspection Posts to ensure that import requirements are met.

Mr. Gibb: To ask the Minister of Agriculture, Fisheries and Food what measures he has in place to prevent the spread of the foot and mouth infection back from France to Britain. [155991]

Ms Quin: On 15 March 2001 the Government acted to make it illegal to import meat and other products of FMD susceptible species from France, unless they comply with the conditions for the export of such products from France set out in Community law.

Mr. Fearn: To ask the Minister of Agriculture, Fisheries and Food how many zoos in *(a)* England, *(b)* Wales and *(c)* Scotland have been temporarily closed since the outbreak of foot and mouth disease. [156329]

Mr. Meacher: I have been asked to reply.

This information is not held by central Government. However, we understand from the Federation of Zoological Gardens of Great Britain and Ireland, which represents most of the larger zoos in the country, that 39 of its 61 members have been closed or part closed because of foot and mouth. Eight of these have recently re-opened, or are about to re-open. The remaining Federation zoos have either remained open throughout or have been closed for other reasons, such as flooding or the winter season.

Agriculture

Mr. Watts: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the financial contribution the agricultural industry made to the British economy in each year from 1996 to 2000. [156265]

Ms Quin *[holding answer 30 March 2001]:* The contributions of the agricultural industry in the United Kingdom to the whole economy are shown for the last five years in the table.

Agriculture's contribution to total economy
Percentage of Gross Value Added (current prices)

Year	*Percentage*
1996	1.5
1997	1.2
1998	1.0
1999	0.9
2000[1]	0.8

[1] Provisional

Source:
MAFF: Agriculture in the United Kingdom 2000

Mr. Watts: To ask the Minister of Agriculture, Fisheries and Food what the average state subsidy per job is in the agricultural industry. [156267]

Ms Quin *[holding answer 30 March 2001]:* Support to the agricultural sector is provided via market support and direct aid mechanisms, rather than subsidies based on the number of farm workers. The value of total public expenditure on agricultural support in the UK in 2000–01 is roughly equivalent to £5,700 per farm worker or £9,400 per full-time worker equivalent. These figures include both EU and nationally funded expenditure.

Fishing

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will provide a package of aid for the English fishing industry in similar terms to that operated in Scotland. [156461]

Mr. Morley: The Government share with fish catching and processing organisations the goal of a sustainable, viable future for the sea fish industry. We are taking firm action to address the long term needs of the industry. A key priority is to protect our fisheries resources for the future. In close partnership with the fishing industry we are taking a lead in the EU in establishing the recovery plans for key stocks such as cod and hake. We will continue to take this work forward seeking an appropriate combination of measures to provide for stock recovery.

At the same time we must address the future direction and priorities of the industry. We all seek a sustainable industry which is economically profitable and which uses environmentally sustainable practices. The Government are ready to support and encourage the industry in pursuing these aims.

In response to cases put to the devolved Administrations in Scotland and Northern Ireland the devolved Administrations have announced plans for measures to tackle the problems faced by their sectors of the fishing industry.

The industry in England has equally put its case to us and we have concluded that a package of measures to assist the adjustments needed is appropriate.

Accordingly, we are making available £6 million for additional assistance in England to assist restructuring in the fishing industry. We will be consulting the industry about the precise form this assistance should take. The funding has been secured from savings redeployed from elsewhere in the fisheries budget and will apply in 2001–02 only. The appropriate mechanisms for securing a better balance between fishing effort and the stocks available in future years will be decided in the light of discussions at EU level on the structural policy for 2002 and beyond.

We also aim to help the adjustment of the industry through the various grants already announced and we are pleased that today we are also launching the fisheries structural fund grants scheme (FIFG) for England. Application forms will be available from my Department shortly. We have already committed £6 million to this EU scheme over the coming three years. In addition there is the separate £5 million fund for fisheries in Cornwall.

The main aims of the structural grants are to promote the adjustments which are needed across the sea fish industry. They will encourage fishermen to improve the quality and thus the value of the fish they catch, by careful handling at sea and on land. There is grant aid to promote the use of sustainable and environmentally friendly fishing methods, through the purchase of suitable gear. Grants are also available for innovation in the processing and marketing of fish onshore.

There is an important role for the provision of advice to the industry in responding to the situation of low fish stocks by developing their operations in viable and sustainable ways, and grant aid is available for projects to provide this support to encourage the introduction of best practice.

A priority for all in the industry is a better safety record at sea. We are making new training courses available across England as announced on 22 March; they will be free to fishermen, funded by £1.5 million FIFG and MAFF grant over three years. We strongly urge all fishermen to take full advantage of these opportunities.

Furthermore, we recognise the strength of the case for helping coastal communities which may be affected by restructuring of the industry. Other measures are therefore being announced by DETR to assist fishing regions in providing support for retraining and regeneration.

Looking further ahead, the recent Green Paper on the future of the Common Fisheries Policy issued by the European Commission opens up opportunities for us to secure major changes in the way fisheries policy works in future. The Government will be consulting on this in detail with the fishing industry and other interests with the object of developing an approach which secures an economically and environmentally sustainable future to meet the needs of all with an interest in the industry in the UK. Meanwhile, the various measures we are applying will be addressing the range of problems faced by the industry.

CABINET OFFICE

Consultants

Mr. Lansley: To ask the Minister for the Cabinet Office how much the Government spent on work from outside consultants in each of the past five financial years; what expenditure is planned for the 2001–02 financial year; and if she will make a statement. [153407]

Mr. Ian McCartney: The value of contracts let by my Department with outside consultants in each of the last four financial years is as follows:

Year	*£*
1997–98	6,415,000
1998–99	2,499,000
1999–2000	1,825,000
2000–01[1]	2,540,000

[1] First three quarters

The other information requested is not held centrally.

Tourism Industry

Mr. Fearn: To ask the Minister for the Cabinet Office if she will request the Regulatory Impact Unit to carry out a study of ways in which the level of regulation on businesses in the tourism industry can be reduced. [156330]

Mr. Ian McCartney: The independent advisory body, the Better Regulation Task Force, published on 29 June 2000 its report on the cumulative burden of regulation on the hotel and restaurant industry, "Tackling the Impact of Increasing Regulation—A Case Study of Hotels and Restaurants". A copy of the report is available at: http://www.cabinet-office.gov.uk/regulation/TaskForce/Programme9900.htm. In the Government response to this report, the Department for Culture, Media and Sport announced that it would set up a hotel and restaurant industry group to monitor progress on streamlining regulation affecting the hotel and restaurant industry sector. The full text of the response is available at: www.culture.gov.uk. The Regulatory Impact Unit will continue to work closely with the Department for Culture, Media and Sport and others to ensure that forthcoming regulations do not impose unnecessary burdens on tourism or other businesses.

LORD CHANCELLOR'S DEPARTMENT

Community Legal Service

Dr. Iddon: To ask the Parliamentary Secretary, Lord Chancellor's Department what directions the Lord Chancellor plans to issue covering the budgets and scope of the Community Legal Service. [156868]

Mr. Lock: The Lord Chancellor has today issued three directions. The first is a budget direction for the CLS, as required under section 5 of the Access to Justice Act 1999. The budget for 2001–02 includes the following provisions:

- the same budget as in 2000–01 for controlled work and new services, of £232 million;
- within that budget, £5 million for the new Partnership Innovation Budget, and an increase in other support grants (from £1.5 million to £5 million);
- as last year, a minimum of £20 million to be spent on services provided by not-for-profit bodies; and
- an increase in the budget for high-cost cases, from £1 million to £4.5 million.

The second direction brings a number of tribunals into the scope of the CLS by allowing advocacy services to be funded. They are the VAT and Duties Tribunal; the General and Special Commissioners of Income Tax; and the Protection of Children Act Tribunal. In the first two, the Lord Chancellor's decision is based on the need to provide representation where the interests of justice require it, because of the potential for the exercise of the tribunals' power to be interpreted as analogous to the imposition of criminal penalties. In the third, his decision is based on the overwhelming importance to applicants of being allowed to challenge decisions to place them on the Protection of Children Act List and List 99.

The third direction revises the circumstances in which cases that are normally excluded from scope can be funded. The main changes from the Lord Chancellor's first direction, made in April 2000, are:

- excluded cases involving the liberty of the applicant will be funded, in line with the Government's obligations under the Human Rights Act;
- it will be easier to take action for professional negligence, even where the original service was provided in an area of law that is outside the CLS's normal scope;
- the treatment of cases against public authorities has been revised to make it easier to bring actions for judicial review or serious wrongdoing, and to match the direction to the way the Funding Code treats equivalent work that is in scope; and
- the treatment of mixed cases has been clarified, to restore the Government's original intention that only cases where the excluded element is minor or incidental to the main issue can be funded.

Benchmark Costs

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects benchmark costs arrangements to commence and for what types of case; if benchmark costs will cover pre-litigated cases; what progress is being made in relation to fixed costs for fast track cases; and if he will make a statement. [156581]

Mr. Lock: The Department has no intention or powers to introduce benchmark costs. However, I understand that the Senior Costs Judge is currently undertaking consultation on a draft scheme for certain short and routine applications in civil proceedings. The first round produced a list of applications which might be suitable. A second round of consultation (incorporating figures for localities and grade of fee earner) is now taking place.

The Government have an open mind on the introduction of fixed costs in the fast track but no current plans to seek their introduction. Any changes to the way in which the costs regime operates should not limit the effectiveness of conditional fee agreements and other innovative methods of funding and insuring litigation.

SOCIAL SECURITY

Occupational Pensions

4. **Mr. Blizzard:** To ask the Secretary of State for Social Security what changes have been made since 1997 to help pensioners on modest occupational pensions. [154861]

Mr. Rooker: Pensioners with modest occupational pensions will have gained from some or all of the extra increases in basic state pension, tax allowances and minimum income guarantee, together with winter fuel payments and free TV licences.

As a result of tax and benefit measures introduced by this Government, all pensioner households will, on average, be over £11 a week, or £580 a year, better off.

25. **Mr. Purchase:** To ask the Secretary of State for Social Security what changes have been made to the social security system to help pensioners with small occupational pensions in the last year. [154884]

Mr. Rooker: Pensioners with small occupational pensions will have gained from some or all of the extra increases in the basic state pension, tax allowances and minimum income guarantee, together with winter fuel payments and free TV licenses.

In addition, many pensioners with small pensions who have managed to save will benefit from the doubling of the lower capital limit in MIG, which is introduced on 9 April.

As a result of tax and benefit measures introduced by this Government, all pensioner households will, on average, be over £11 a week, or £580 a year, better off.

Winter Fuel Payments

19. **Mr. Stephen O'Brien:** To ask the Secretary of State for Social Security if he will ensure all pensioners receive their winter fuel allowance before the end of this winter. [154877]

Mr. Rooker: So far, over 11 million payments have been made for this winter.

34. **Mr. Day:** To ask the Secretary of State for Social Security if he will take steps to ensure that all pensioners receive their winter fuel allowance before the end of this winter. [154893]

Mr. Rooker: So far, over 11 million Winter Fuel Payments have been made in respect of this winter. Claims are still being received and processed.

Sir Nicholas Lyell: To ask the Secretary of State for Social Security how many Winter Fuel Payments have been claimed in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000; how many have been paid to date; how many remain outstanding; what is the total amount of money as yet unpaid in respect of each year; and what proportion of eligible pensioner households have claimed such payments in each year. [155080]

Mr. Rooker: Before the current winter, 2000–01, Winter Fuel Payments were all made automatically. In each of the winters of 1997–98, 1998–99 and 1999–2000 around 10 million payments were made.

Following the European Court decision, we decided to equalise the age—at 60—from which Winter Fuel Payments could be made. Also, the need to be in receipt of a qualifying benefit was removed. As a result, up to 1.5 million people, mostly men aged 60–64, became newly eligible for the winter of 2000–01. Up to 1.9 million people could also be newly eligible for payments for the first three winters of the scheme. Most of these newly eligible people need to make a claim.

For this winter, over 1 million claims have been made and paid, and over 11 million payments have been made overall. Claims for this winter continue to be received and processed, and payments made. For past winters, 1 million payments have been made so far.

It is up to eligible individuals to choose whether to make a claim.

Pensioner Poverty

22. **Mr. Sedgemore:** To ask the Secretary of State for Social Security what progress is being made to combat pensioner poverty. [154880]

Mr. Rooker: I refer my right hon. Friend to my oral reply to our hon. Friend the Member for Milton Keynes, North-East (Mr. White), at column 20.

37. **Mr. Forth:** To ask the Secretary of State for Social Security if he will make a statement on pensioner poverty. [154896]

Mr. Rooker: Our record speaks volumes. Around two million of the poorest pensioner households are now at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997. That's a real terms rise in living standards of at least 17 per cent.

Means Testing

21. **Mr. Amess:** To ask the Secretary of State for Social Security if he will make a statement on the impact of means testing on Incapacity Benefit. [154879]

Mr. Bayley: We think it is right that some account should be taken of pensions which duplicate the purpose of Incapacity Benefit—to provide some replacement of earnings. The changes will not affect people in receipt of Incapacity Benefit on the date change, 6 April 2001, and will not affect four in five people who become eligible for Incapacity Benefit after this date. Of the people affected, nearly half will have pensions which will take them above the national average income.

As well as making this change we will provide greater support and security through such initiatives as our carers' package of extra help worth £500 million over three years, the Disability Income Guarantee that will help the poorest severely disabled adults, and families with severely disabled children, the increase in the disabled child premium in income-related benefits, the extension of Incapacity Benefit to people disabled early in life who have not had the opportunity to earn and pay National Insurance contributions and the extension of Disability Living Allowance higher rate mobility component to three and four-year-old children.

38. **Mr. Loughton:** To ask the Secretary of State for Social Security what progress he has made in reducing the number of pensioners and families on means-tested benefits. [154897]

Angela Eagle: The Welfare State has always used means-tested benefits as part of a complementary mixture of provision alongside contributory and universal benefits. Each plays a part in meeting people's needs. Spending on income-related benefits amounted to 34 per cent. of overall benefit expenditure in 1997–98. Next year we expect this proportion to decrease to 29 per cent.

Child Support Agency

23. **Caroline Flint:** To ask the Secretary of State for Social Security what steps he is taking to improve the means of communicating with the Child Support Agency. [154881]

Angela Eagle: In preparing for the child support reforms, the Agency is providing improved telephone access over longer hours and face to face interviews where this is the best way of dealing with inquiries.

Improved information technology will allow staff from across the Department to share information and the Agency will be making use of the internet to provide another information gateway for customers.

31. **Mr. Best:** To ask the Secretary of State for Social Security what plans he has to review the assessment of existing Child Support Agency cases in line with the new legislation. [154890]

Angela Eagle: The new child support scheme will be introduced for new cases by April 2002. Existing cases will be transferred to the new scheme at a later date once we are sure that the new scheme is working well. Changes in the levels of assessment will be phased in.

Pension Annuities

24. **Mr. Bercow:** To ask the Secretary of State for Social Security if he will make a statement on the requirement to purchase pension annuities by the age of 75. [154883]

Mr. Rooker: I refer the hon. Member to Sections 5.66 to 5.69 of our Economic and Fiscal Strategy Report published on Budget Day which sets out our views on annuities.

29. **Mr. Leigh:** To ask the Secretary of State for Social Security what representations he has received from financial institutions in relation to the purchase of annuities at the age of 75 years. [154888]

Mr. Rooker: I have received representations from financial institutions and other bodies.

Child Poverty

26. **Mr. Derek Twigg:** To ask the Secretary of State for Social Security what measures he has taken to combat child poverty. [154885]

Mr. Bayley: "Opportunity for all" describes the full range of measures we are taking to combat child poverty, but I will highlight just a few.

As a result of personal tax and benefit measures announced by this Government, over 1.2 million children will be lifted out of poverty and all working families will be guaranteed an income of £11,700 a year from October 2001.

And we are ensuring all children get the best start in life by helping parents into work through the New Deals, raising education standards by investing more in schools, tackling health inequalities, and improving services through our £450 million investment in the new Children's Fund.

Minimum Income Guarantee

27. **Mr. Viggers:** To ask the Secretary of State for Social Security how many letters have been sent out to pensioners who are possible candidates for the minimum income guarantee; and how many of those pensioners have made successful claims. [154886]

Mr. Rooker: Since the launch of the campaign last May, over 2 million pensioners have been written to and around 887,000 pensioners have responded. At the end of February the Department had received over 182,000 additional claims. Claims as a result of the campaign continue to be received and processed.

Ms Squire: To ask the Secretary of State for Social Security if he will ensure that a written explanation is provided to unsuccessful applicants for the Minimum Income Guarantee. [155009]

Mr. Rooker: It is standard procedure in the Benefits Agency for a written decision to be issued on all application forms that are received, irrespective of whether the claim is successful or not.

Mr. Willetts: To ask the Secretary of State for Social Security if he will place in the Library the Government's evaluation of the Minimum Income Guarantee take-up campaign and independent evaluations commissioned by ministers. [155413]

Mr. Rooker: Evaluation of the Minimum Income Guarantee (MIG) take-up campaign is ongoing. A summary of quantitative tracking research on pensioners' awareness of MIG is due to be published shortly. A further report of research commissioned by the Department to assess the use of the MIG Claimline is due to be published in July and, in accordance with normal practice, a copy will be placed in the Library.

Disability Living Allowance

28. **Fiona Mactaggart:** To ask the Secretary of State for Social Security if he will make a statement on medical assessments for Disability Living Allowance. [154887]

Mr. Bayley: Assessment of entitlement to Disability Living Allowance is made by non medical Benefits Agency staff known as Decision Makers. Evidence is gathered by the Decision Makers from a number of sources, one of which can include a medical examination carried out by a Medical Services doctor.

Mr. Berry: To ask the Secretary of State for Social Security what proportion of decisions on initial claims for Disability Living Allowance were made on the basis of a medical assessment by an examining medical practitioner in each of the last five years. [155627]

Mr. Bayley: The information is in the table.

Percentage of decisions on initial claims for Disability Living Allowance, in each of the last five years, which were made on the basis of a medical assessment by an examining medical practitioner

Year	*Percentage*
1996	34
1997	35
1998	34
1999	39
2000	40

Source:
DSS Information Centre: 100 per cent. data.

Mr. Berry: To ask the Secretary of State for Social Security what proportion of initial applications for Disability Living Allowance were successful in each of the last three years. [155626]

Mr. Bayley: The information is in the table.

Percentage of initial applications for Disability Living Allowance, in each of the last three years, which were successful

Year	*Percentage*
1998	46
1999	47
2000	51

Source:
DSS Information Centre: 100 per cent. data.

Pension Credit

30. **Mr. Joyce:** To ask the Secretary of State for Social Security what role the pension credit will play in encouraging people to save for retirement. [154889]

Mr. Rooker: The Pension Credit will ensure that people of modest means are rewarded from building on basic pension level through SERPS, a private pension or other forms of income and savings.

33. **Mr. Ben Chapman:** To ask the Secretary of State for Social Security what progress is being made with introduction of the pension credit. [154892]

Mr. Rooker: The Government have received over 400 responses to the consultation paper. We are considering these carefully and will announce our response to them in due course.

Shona McIsaac: To ask the Secretary of State for Social Security if he will make a statement on progress being made on the introduction of the pension credit. [154871]

Mr. Rooker: We are considering more than 400 responses to our consultation paper and we will be announcing our response in due course.

Disabled Persons Tax Credit

32. **Mr. Tynan:** To ask the Secretary of State for Social Security if he will make a statement on the expected take-up of the Disabled Persons Tax Credit announced in the Budget. [154891]

Mr. Bayley: The Disabled Person's Tax Credit was introduced in October 1999. Almost 27,000 disabled people who are in work benefited from the Disabled Person's Tax Credit at October 2000. This is over 8,000 higher than the number who benefited from Disability Working Allowance at its peak.

Carer Support

35. **Mr. Goggins:** To ask the Secretary of State for Social Security what action he is taking to increase support for older carers. [154894]

Mr. Bayley: We have substantially increased the carer premium in Income Support to £24.40 from 1 April. This will benefit some 36,000 low income carers aged 60 years or over.

We also propose to extend eligibility to apply for Invalid Care Allowance (ICA) to carers aged 65 or over as soon as a legislative opportunity permits. This will enable some older carers with limited entitlement to retirement pension to receive ICA, either at the full rate or as a top-up. In addition, many pensioner carers will be able to receive carer premium paid on top of the Minimum Income Guarantee for the first time.

Pensioners' Incomes

36. **Mr. Borrow:** To ask the Secretary of State for Social Security what the impact has been on pensioners' incomes of changes to tax and benefits since May 1997. [154895]

Mr. Rooker: Personal tax and benefit changes mean that on average pensioner households will be £600 a year better off than in 1997.

Residential Care

Mr. John Smith: To ask the Secretary of State for Social Security what plans he has to uprate the payments to residential homes to cover the cost of the care of residents. [154865]

Mr. Darling: From this April the maximum benefit paid to people in residential care and nursing homes will increase by 1.8 per cent. and by a further 1.9 per cent. later this year. This is the first above inflation increase since 1993 and gives a total increase of 3.7 per cent.

It will be implemented at the earliest possible opportunity and will benefit up to 70,000 people whose care costs are met through the preserved rights arrangements.

Child Maintenance (Disputes)

Mr. Bob Russell: To ask the Secretary of State for Social Security if he will review the Child Support Agency regulations to require the alleged father in disputed maintenance cases to take a second blood test. [154876]

Angela Eagle: The Child Support Agency cannot require an alleged father to take a DNA test and there are no plans to change this. If either parent disputes the outcome of a CSA arranged test, they can apply to the courts for a declaration of parentage.

Computer Failures

Mr. Burstow: To ask the Secretary of State for Social Security how many people in receipt of *(a)* pension, *(b)* income support and *(c)* both have had their payment delayed as a result of the income support computer software being unable to calculate payment due to increases in retirement pension; if any such problem in making payments had been anticipated; if any similar failures in processing payments are expected at the beginning of the next financial year; and if he will make a statement. [154544]

Mr. Bayley: The administration of Income Support is a matter for Alexis Cleveland the Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Paul Burstow, dated 29 March 2001:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking, how many people in receipt of *(a)* pension, *(b)* income support and *(c)* both have had their payment delayed as a result of the income support computer software being unable to calculate payment due to increases in

retirement pension; if any such problem in making payments had been anticipated; if any similar failures in processing payments are expected at the beginning of the next financial year.

It may help if I explain that the Income Support Computer System (ISCS) can automatically calculate and make payment due to Retirement Pension (RP) uprating for 84% of cases (up from 83% last year). The balance of the cases are not calculated automatically because they have exceptional/complex circumstances which require clerical action.

The cases that cannot be uprated automatically are identified via ISCS and a report issued to Managers in field offices. Field Managers plan for this annual exercise and use the uprating reports to allocate resources to carry out the necessary activity on the cases listed. Further reports are produced on a monthly basis to monitor progress.

This process only effects Income Support pensioners. Customers in receipt of Income Support or RP only are unaffected.

The production of the initial uprating report was postponed by one week this year to accommodate Winter Fuel Payment work. There are no further delays planned, and the IS Live Support Incident Management Team has not received any reports from the Field which point to payment delays or any other problem with the ISCS with respect to uprating.

I hope this is helpful.

Agency Performance Targets

Mr. Fitzpatrick: To ask the Secretary of State for Social Security what performance targets he has set his Department's agencies for 2001–02; and if he will make a statement. [156853]

Mr. Darling: The targets I have set CSA, WPA and TAS for 2001–02 are as given.

Further information on CSA, WPA and TAS plans for 2001–02 is contained in their individual business plans, which have been published today. Copies have been placed in the Library.

The targets I have set for BA and publication of its Business Plan will be announced shortly.

Targets for 2001–02 are:

Child Support Agency Targets (CSA)—2001–02

Accuracy on the last action for all assessments checked in the year to be correct to the nearest penny in at least 78 per cent. of cases.

To collect child maintenance and arrears from 71 per cent. of non-resident parents with maintenance liability due to be paid through the Agency's collection service.

To collect 68 per cent. of child maintenance and arrears due for payment through the Agency's collection service.

Preparations for child support reform to be taken forward to ensure the successful introduction of the new scheme for new cases by April 2002.

The Agency will demonstrate improvement across the range of the customer service standards.

To reduce the outstanding level of debt owing from full maintenance assessments at 31 March 2001 by 25 per cent. by 31 March 2002.

By the end of September 2001 introduce and shadow a new set of balanced scorecard performance measures for all frontline business units moving to full reporting by April 2002.

Note:

The reforms to the Child Support Scheme set out in the Child Support, Pensions and Social Security Act 2000 will come into force in April 2002.

War Pension Agency Targets (WPA)—2001–02

Putting Service First

To deliver a quality service to war pensioners and war widows by achieving the standards published within WPA's Service First Charter.

Working in Partnership

To reduce the average time it takes an appeal to pass through the war pensions appeals process. By 31 March 2002 the average time should reduce by 10 per cent. from 2000–01 baseline levels.

Modernisation and Managing Change

To implement the recommendations of the WPA's DMA Review to the standards and timetable agreed with the DSS.

Valuing our People

To lead and manage people effectively through specified measures and contribute to the reduction in public sector sickness absence levels by reducing absences by 22 per cent. from 1998 PSA baseline levels by 31 December 2001.

Efficiency

To generate efficiencies during 2001–02 to absorb the effect of pay and price pressures; and to improve efficiency so that WPA operates within its running cost allocation.

The Appeals Service Targets (TAS)—2001–02

Waiting Times

The average waiting time for an appeal to be heard will be no more than 14 weeks from the time of receipt by the Appeals Service[1].

By 31 March 2002, no more than 10 per cent. of cases will have been outstanding for more than 24 weeks.

For cases returned by the Commissioner, the average waiting time for an appeal to be re-heard will be no more than 8 weeks from the date of return to the Appeals Service.

Customer Focus

By 31 March 2002, improve by 10 per cent. the measure of customer confidence in the level and quality of information provided on an appeal from the time it is received by the Appeals Service to the time of the appeal decision.

Service Delivery Agreement Targets

The range of waiting time variations between our local offices will be reduced by a factor of at least 5 per cent. per annum over a 3 year period.

Identify and commission improvements in the end-to-end processing of appeals, leading to the development of cross agency end-to-end performance targets by April 2002.

Note:

[1] For stayed cases awaiting decision in lead cases in a higher court, 14 weeks from withdrawal of stay being notified.

National Insurance

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Havant (Mr. Willetts) of 14 March 2001, *Official Report*, column 606W, on national insurance numbers, how the new tests for national insurance numbers are more stringent. [154915]

Mr. Rooker *[holding answer 22 March 2001]:* We have aligned the process for both benefit and employment inspired applications for National Insurance Numbers (NINOs). All adult applicants will be interviewed by dedicated specially trained staff using investigative interviewing techniques. Pre-interview questioning will take place prior to the specialist interview so that information can be validated.

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Post interview, the information given by an applicant in support of their application will be corroborated. Documentation supplied by an applicant will be scrutinised by specially trained staff using specialist equipment provided for this purpose. We have introduced a more stringent internal checking regime to ensure that a NINO application is valid and that the applicant does not already have a NINO. The introduction of dedicated staff will reduce the number of staff who have authority to create a NINO.

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Havant (Mr. Willetts) of 14 March 2001, *Official Report*, column 606W, on national insurance numbers, if the new test for national insurance numbers will apply to all numbers allocated to those under 16 years of age. [154914]

Mr. Rooker *[holding answer 22 March 2001]:* The enhanced National Insurance Number (NINO) process applies only to adult applications.

There is no enhanced NINO process for under 16's, however before a child can be allocated a Child Reference Number, their parents have to go through this process.

Mr. Willetts: To ask the Secretary of State for Social Security how many national insurance numbers there were on *(a)* the Departmental Central Index and *(b)* NIRS1/NIRS2, in each year since 1992. [152436]

Mr. Rooker: The figures are set out in the tables. The difference between the number of records held on DCI and NIRS1/NIRS2 is because:

DCI holds records for 12.5 million children [Child Reference Numbers]. Such records are notified to NIRS2 only as and when the children approach age 16.

DCI holds NINOs allocated to customers who are over Retirement Pension age. These records are not notified to NIRS2 as there is no contribution liability.

The DCI Data Cleansing work is incorporated within the current core business. This includes such activities as data cleansing, data maintenance and the removal of duplicate and surplus NINOs.

The rise in number of NINOs reflects the fact that while additions are made each year for children who reach 16 and others who apply for a NINO. Records need to be retained in the event of a surviving spouse making a claim on their partner's contribution.

National Insurance numbers held on DCI

Year	*Total of NINOs at 31 December (million)*
1992	71
1993	75
1994	76
1995	77
1996	77
1997	79
1998	80
1999	81
2000	82

Note:
Figures rounded to the nearest million.

National Insurance numbers held on NIRS1/NIRS2

Year	*Total of NINOs at 31 December (million)*
1992	61
1993	62
1994	63
1995	64
1996	65
1997	66
1998	67
1999	68
2000	69

Note:
Figures rounded to the nearest million.

Mortgage Benefits

Mr. Gorrie: To ask the Secretary of State for Social Security if he will take steps to reduce the time it takes for unemployed people to receive contributions from the benefit system towards mortgage payments. [154468]

Mr. Bayley: We believe that where possible, homeowners have a responsibility to provide for short term contingencies themselves, for example through private mortgage payment protection insurance (MPPI). We have worked closely with the industry to extend the nature and coverage of MPPI products so that they are suitable for a wider group of people.

For the majority of people, assistance via the benefit system with their mortgage is restricted until they have served a 39 week waiting period. Exceptions to this rule are people who took out a mortgage prior to 2 October 1995, and certain vulnerable people, who are subject to a shorter waiting period, and people aged 60 and over whose interest is paid from the outset of the claim.

We have no plans to reduce the waiting periods.

Pensioner Organisations

Mr. Barron: To ask the Secretary of State for Social Security if he will make a statement on his plans for the new organisation for pensioners. [156801]

Mr. Darling: We are aiming to provide a service more tailored to the requirements of different groups of customers served by the Department.

Pensioners have distinct and specific needs. It is important that we develop a modern, integrated service designed to meet these needs.

So we are setting up The Pension Service within the Department which will be solely focused on the needs of today's and tomorrow's pensioners dealing with everything from policy development to frontline service delivery.

The Pension Service will provide a new and radically better service for today's pensioners so that they will have a single, easily accessible point of contact for all social security benefits, making full use of opportunities provided by new technology including the internet.

It will also provide help for tomorrow's pensioners by working co-operatively with the private pensions industry to design and regulate appropriate pensions products and providing accurate information to help them make decisions about their future pensions.

Pension services will be designed and delivered through a combination of new centralised operations and local services. The new centralised operations will provide today's and tomorrow's pensioners with an integrated service.

Working Age

Mr. Barron: To ask the Secretary of State for Social Security what progress has been made in setting up the new agency for working age people. [156802]

Mr. Darling: My right hon. Friend the Secretary of State for Education and Employment and I are establishing the new agency for working age people later this year. We announced on 14 March the locations of around 50 pathfinder offices bringing together labour market and benefit services for people of working age. These offices will be the first stage in the launch of this new Agency.

We can further announce today that the new Agency and its local offices will be called "Jobcentre Plus". We shall be introducing the name "Jobcentre Plus" in local offices as they roll out the integrated benefit and employment service, starting with the first pathfinder offices in October. But, more widely, the new Agency will be referred to as "Jobcentre Plus" from today.

State Pension

Mr. Field: To ask the Secretary of State for Social Security what checks are made to ensure that pensioners living abroad in receipt of the basic state pension are alive. [156474]

Mr. Rooker: All pensioners are contacted over a five year period. The certificate requires the person to confirm their circumstances have not altered and should be attested by someone of professional standing.

Benefits (Leyton and Wanstead)

Mr. Cohen: To ask the Secretary of State for Social Security if he will make a statement on the change in the number of people dependent on social security benefits in Leyton and Wanstead since May 1997. [155390]

Mr. Rooker *[holding answer 27 March 2001]:* The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than constituency level data, but the following provides a comparative guide to the effect of the Department's policies and actions in Leyton and Wanstead since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Leyton and Wanstead 10,957 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Leyton and Wanstead the number has reduced from 4,900 to 2,400. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Leyton and Wanstead from 2,800 to 2,200.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 12,000 older people in Leyton and Wanstead have received a Winter Fuel Payment for this winter.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 11,300 pensioners in Leyton and Wanstead will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 4,600 in Leyton and Wanstead. 2,600 pensioner families in Leyton and Wanstead are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Pensions

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer of 26 March 2001, *Official Report*, column 481W, on the state second pension, if he will express the table in terms of future pension entitlement in today's prices. [156253]

Mr. Rooker: The information is in the table.

Second tier pension entitlement in 2001 price terms

£

			For comparison:	
Annual earnings	*State second pension entitlement on 40-year working life*	*SERPS entitlement on 40-year working life*	*State second pension entitlement on 49-year working life*	*SERPS entitlement on 49-year working life*
£4,000	105	11	125	12
£5,000	105	18	125	20
£6,000	105	24	125	28
£7,000	105	31	125	36
£8,000	105	37	125	44
£9,000	105	44	125	52
£9,500	105	47	125	56
£10,000	105	50	125	60
£11,000	107	57	128	68
£12,000	110	63	132	76
£13,000	113	70	136	84
£14,000	116	76	140	92
£15,000	120	83	144	100

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for Social Security if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155977]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in the London borough of Southwark since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about seven million families receive Child Benefit, and in the London borough of Southwark 30,443 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in the London borough of Southwark the number has reduced from 13,700 to 8,900. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in the London borough of Southwark from 10,600 to 9,500.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 26,400 pensioners in the London borough of Southwark will benefit from the substantial increases in the basic state pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 11,600 in the London borough of Southwark. 7,300 pensioner families in the London borough of Southwark are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Benefits (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Social Security what the cost of benefits, paid as a result of unemployment in Shrewsbury and Atcham was on *(a)* 1 May 1997 and *(b)* the latest date for which figures are available; and if he will make a statement. [154662]

Angela Eagle: The available data only allow us to estimate the number of people in a Member of Parliament's constituency getting benefits as a result of unemployment. It is not possible to estimate the cost of these benefits at a constituency level.

Correspondence

Mr. Gill: To ask the Secretary of State for Social Security when he will reply to the hon. Member for Ludlow's letter of 28 November 2000 regarding Mrs. Lingard-Lane, a constituent. [154781]

Angela Eagle: A reply was issued on Monday 2 April 2001.

Flooding (Housing Benefit)

Miss McIntosh: To ask the Secretary of State for Social Security what recent representations he has received on flood victims in receipt of Housing Benefit who have been forced to evacuate their homes and move into alternative accommodation; when will the review into their circumstances will be completed; and if he will make a statement. [155113]

Angela Eagle: I am aware of the hon. Member's concerns. We have no record of any other representations on this subject. As stated in my written answer on

12 March 2001, *Official Report*, column 460W, we are reviewing the current arrangements and this review is still ongoing.

Gateway Benefits

Mr. Stunell: To ask the Secretary of State for Social Security what the eligibility criteria for gateway benefits are for *(a)* a newly unemployed UK citizen, *(b)* an asylum seeker awaiting determination of their case, *(c)* an asylum seeker whose request to stay has been granted and *(d)* a discharged prisoner. [155552]

Angela Eagle: The basic conditions for a newly unemployed UK citizen to qualify for Jobseeker's Allowance (JSA) are that they must be available for and actively seeking employment of, normally, at least 40 hours per week. Jobseekers are also required to enter into a Jobseeker's Agreement which details the steps they will take to enable them to return to work.

The Home Office is responsible for supporting and accommodating asylum seekers awaiting a determination of their case. Those asylum seekers in receipt of benefits prior to 3 April 2000 continue to be eligible to claim Income Support, Housing Benefit and Council Tax Benefit. Asylum seekers whose applications are accepted and are awarded either refugee status or exceptional leave to stay are eligible for Social Security benefits in the normal way.

In general, discharged prisoners are treated in the same way as any other benefit claimant and must satisfy the eligibility criteria for each benefit claimed.

Written Answers to Questions

Tuesday 3 April 2001

ENVIRONMENT, TRANSPORT AND THE REGIONS

Home Energy Efficiency

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions how much of the budget from his Department for the home energy efficiency scheme in 2000–01 has been allocated; and what difficulties have been encountered by managers of the scheme in meeting the target number of homes due to be assisted. [156558]

Mr. Meacher: For the 2000–01 financial year the Home Energy Efficiency Scheme (HEES) in England had a total budget of £121.8 million. This was for the final months of the old scheme and for the new HEES scheme, which started on 1 June 2000. The total amount allocated for the year was £113.1 million. Of this, £77 million was paid on the receipt of satisfactory invoices. The balance of £36.1 million represents work orders yet to be completed or for which invoices have not yet been submitted.

The new public spending framework introduced in the Comprehensive Spending Review gives the Department freedom to carry forward unspent grant provision from one year to the next, within a three-year budget cycle.

The main difficulty encountered by HEES is recruiting sufficient contractors to install and repair gas central heating systems. This is caused by the national shortage of qualified heating engineers. To address the problem, scheme managers are seeking additional qualified heating installers, and encouraging existing installers to increase the number of installation teams dedicated to HEES. These efforts have substantially increased the number of installations and cut the time taken to install measures to less than three months in most areas of England.

In conjunction with Transco plc and the Gas Industry National Training Organisation, my Department introduced training programmes to provide an additional 800 gas engineers over the next 12 months to work under HEES. These will enable the scheme to cope better with short-term fluctuations.

Departmental Policies (High Peak)

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the High Peak constituency of his Department's policies and actions since May 1997. [156781]

Ms Armstrong: The principal funding that this Department has provided to High Peak borough council and Derbyshire county council between 1997–98 and 2001–02 is shown in the table. This includes grants and borrowing approvals for revenue and capital expenditure.

It is not possible to determine how much of this money Derbyshire county council has spent on High Peak constituency. It is for the local authority to decide where within its boundary these resources are applied.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]
High Peak borough council					
Revenue support grant	1.993	2.186	2.122	2.001	2.235
Income from national non-domestic rates	2.790	2.829	3.043	3.384	3.353
Housing investment programme	0.894	1.036	1.103	2.732	[2]3.817
Capital receipts initiative	—	0.685	0.671	—	—
Housing revenue account subsidy (management and maintenance allowance)	[3]704.69	[3]702.92	[3]709.44	[3]733.63	[3]732.81
SRB funding[4]	0.340	0.332	1.260	0.463	3.500
ERDF funding[5]	0.269	0.176	0.655	0.132	—
Capital challenge (supplementary credit and basic credit approvals)	0.340	0.398	0.500	—	—
Derbyshire county council[6]					
Transport supplementary grant	1.008	1.060	1.132	—	—
Transport annual capital guideline	1.008	1.060	1.132	—	—
Transport block supplementary credit approval	0.970	0.891	2.371	5.939	18.008
Rural bus challenge grant (from 1999–2000)	—	—	0.800	0.155	0.600
Rural bus subsidy grant (from 1998–99)	—	0.714	0.714	0.714	0.912

[1] Where known
[2] Includes major repairs allowance
[3] Per property
[4] SRB schemes include a five-year industrial development and enterprise training project, a five-year community-led project to improve social well-being in the most deprived area in the High Peak and a five-year project to develop Buxton. There is no SRB expenditure in that part of Derbyshire Dales district which falls within the High Peak constituency.
[5] Includes expenditure in Derbyshire Dales district which falls within the High Peak constituency.
[6] Figures for Derbyshire county council exclude funds allocated for the Derby local transport plan area.

Registered Social Landlords

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer on 27 March 2001, *Official Report*, column 568W, *(a)* if he will assess the benefits of including the performance of registered social landlords in meeting housing need within the objectives of the Housing Corporation's proposed new regulatory code and *(b)* what representations he has received on this issue. [156851]

Mr. Raynsford: The contents of the Housing Corporation's new regulatory code are a matter for the Housing Corporation. The Corporation issued a draft regulatory code on 12 January 2001 for consultation and has received a number of representations in respect of the contents of the code.

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 March 2001, *Official Report*, column 568W, what plans he has for the Housing Corporation's draft revised Statutory Housing Management Guidance to contain strengthened guidance on the obligations on registered social landlords to provide accommodation for households with priority under local authority allocation schemes. [156850]

Mr. Raynsford: Under S36 of the Housing Act 1996, guidance to registered social landlords is issued by the Housing Corporation. The Corporation plans to issue for consultation a draft of its revised Statutory Housing Management Guidance in May. The Secretary of State will not approve guidance under S36(4) unless he is satisfied with its requirements in relation to the provision of accommodation for households with priority under local authority allocation schemes.

Rail Services (London)

Mr. Linton: To ask the Secretary of State for the Environment, Transport and the Regions if he intends to proceed with the East London Line extension to *(a)* Croydon, *(b)* Wimbledon and *(c)* Clapham Junction. [156738]

Mr. Hill: The proposals to extend the East London Line to West Croydon and Wimbledon form part of the Transport and Works Act 1992 application submitted last year by London Underground Ltd. The Secretary of State is considering the Inspector's report.

The Strategic Rail Authority are looking into the possibility of a third extension to Clapham Junction as part of their Orbirail study.

Mr. Linton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for a London Orbital Rail Network. [156739]

Mr. Hill: The Strategic Rail Authority are actively working on developing the Orbirail concept as a major part of their aspirations to enhance rail services in London. The Government support these aspirations, but no commitments can be made at this stage while the proposals are still under consideration.

WALES

Children's Commissioner for Wales

Ms Julie Morgan: To ask the Secretary of State for Wales what role the Children's Commissioner for Wales will have in respect of matters that are not devolved to the National Assembly for Wales. [157049]

Mr. Paul Murphy: The Commissioner's core functions under the Bill rightly focus on matters that come within the Assembly's wide fields of responsibility. However, the Government have carefully considered the points made in debate here and in another place about the Commissioner needing to have a role in matters not devolved to the Assembly. We therefore intend amending the Bill to empower the Commissioner to consider, and make representations to the Assembly about, any matter affecting the rights and welfare of children in Wales.

SOLICITOR-GENERAL

Departmental Policies (Hazel Grove)

Mr. Stunell: To ask the Solicitor-General if he will set out, including statistical information relating as directly as possible to the Hazel Grove constituency, the effects on Hazel Grove of his Department's policies and actions since 2 May 1997. [156185]

The Solicitor-General: In November 1999, in line with national policy the Stockport/Sale branch of the Crown Prosecution Service introduced procedures based upon the Narey proposals. It did this in liaison with the Greater Manchester police and the Stockport magistrates court.

All adult defendants charged with a criminal offence now make the first appearance before Stockport magistrates court within 96 hours. The present figures suggest that between 40 per cent. and 45 per cent. of all defendants have their case finalised more quickly than previously was the case.

In January 2001, in line with national policy and new legislation, the CPS and the magistrates court started sending the most serious (indictable) cases to the Crown court within one week of the first appearance in the magistrates court. Henceforth, Crown court judges will monitor the progress of these cases and it is anticipated that they should also be finalised more quickly than previously.

So far as youth offenders are concerned, the CPS—together with the police, the magistrates courts and the local youth offending team—have agreed procedures designed to bring persistent youth offenders before the court much more quickly. They are working towards the Government's 71-day target for disposing of such cases. Protocols have also been designed to bring all youth offenders before the Crown court much more quickly.

All these changes illustrate the Government's successful policy of speeding up the criminal justice system.

Since May 1997, the Stockport team of the Stockport/Sale branch has successfully prosecuted a number of high-profile cases, including several murders, attempted murders and drug-related offences. On Friday 23 March 2001, a 16-year-old youth was found guilty of attempted murder and aggravated burglary on 87-year-old, Miss Edith Champman, of Hazel Grove. The defendant has been remanded in secure accommodation for reports to be prepared before he is sentenced. In October 2000, Ian Morrison was found guilty of the attempted murder of his ex-wife and two police officers and attempted wounding with intent of a third police officer. He was sentenced to a total of 16 years' imprisonment.

Actions and policies of the Treasury Solicitor's Department and the Serious Fraud Office do not directly affect the hon. Member's constituency.

TRADE AND INDUSTRY

Workplaces (Injury Insurance)

Mr. Baker: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on individual businesses of the transfer from Government onto individual businesses of the responsibility for insuring workplaces against injury. [148018]

Mr. Alan Johnson *[holding answer 30 January 2001]:* This Department has made no such assessment.

Employment Agencies

Dr. Cable: To ask the Secretary of State for Trade and Industry (1) what assessment he has made of the impact of the Conduct of Employment Agencies and Employment Businesses Regulations 2001 on recruitment company products; [156843]

(2) what assessment he has made of the impact of the Conduct of Employment Agencies and Employment Businesses Regulations 2001 on *(a)* women returning to work, *(b)* ethnic minorities, *(c)* work experience students and *(d)* improving the skills of women in the workplace; [156847]

(3) how many recruitment companies and agencies made representations to the Department during the consultation on the Conduct of Employment Agencies and Employment Businesses Regulations 2001; [156842]

(4) what representations he has received from the Inland Revenue regarding the Conduct of Employment Agencies and Employment Businesses Regulations 2001; and if he will place these in the Library; [156846]

(5) how many requests for a meeting he received from recruitment companies regarding the Conduct of Employment Agencies and Employment Businesses Regulations 2001; [156844]

(6) what discussions he has had with *(a)* women's groups, *(b)* representatives of ethnic minority groups and *(c)* student groups regarding the implications of the Conduct of Employment Agencies and Employment Businesses Regulations 2001; [156848]

(7) if he will list those recruitment agencies and companies that he has met regarding the Conduct of Employment Agencies and Employment Businesses Regulations 2001, indicating *(a)* those companies which requested the meeting and *(b)* those which he invited to a meeting without a request; [156845]

(8) what discussions he had with *(a)* the Inland Revenue and *(b)* the Better Regulation Task Force regarding the Conduct of Employment Agencies and Employment Businesses Regulations 2001; and if he will make a statement. [156849]

Mr. Alan Johnson: A summary of responses to consultation on revisions to the Regulations, which includes a list of respondents, has been placed in the Library of the House. I have had meetings with a number of these, though most contacts have been with the Recruitment and Employment Confederation and other trade bodies rather than with individual agencies.

There have been discussions with both the Inland Revenue and the Cabinet Office's Regulatory Impact Unit about the draft Regulations, and consultees include members of the Better Regulation Task Force. Correspondence within Government on policy issues is not normally made public.

The Regulations are designed to benefit recruitment agencies, their clients and those employed through them. They will remove unnecessary restrictions on agencies' operations and the services they can offer, while protecting the interests of work-seekers and vulnerable groups such as the young and those receiving care. They recognise the important role that this sector plays in a flexible labour market and in helping many people back into work. They support the Government's policies on skills and employment, for example by requiring appropriate training and experience to be given, creating incentives to increase the skills of the workforce, and preventing unjustified restrictions on temporary to permanent transfer. A draft Regulatory Impact Assessment has been placed on my Department's website, and a final version will be published when the draft Regulations are laid before Parliament.

Political Parties, Elections and Referendums Act

Maria Eagle: To ask the Secretary of State for Trade and Industry if charities and political think-tanks are considered political organisations for the purposes of Part IX of the Political Parties, Elections and Referendums Act 2000. [157023]

Mr. Byers: Part XA of the Companies Act 1985 as inserted into that Act by Part IX of the Political Parties, Elections and Referendums Act 2000 implements the recommendation by the Committee on Standards in Public Life that companies intending to make a donation to a political party or organisation should be required to have the prior authority of their shareholders. An organisation is to be considered "political" for the purposes of Part XA of the Companies Act if it carries on, or proposes to carry on, activities which are capable of being reasonably regarded as intended to affect public support for a political party or to influence voters in a referendum.

The Government considered the definition carefully, and continue to believe that a test based on an organisation's intent to affect support for a political party or to influence the outcome of a referendum is both appropriate and proportionate. At the same time, the Government are concerned that the definition should not be interpreted so widely as to affect the funding of organisations which could not reasonably be regarded to show such intent. The Government do not believe, for example, that charities which campaign on issues of general public interest or political think-tanks whose publications and events are aimed at informing public opinion generally are likely to be caught by the definition if their activities would not appear, on any reasonable assessment, to be aimed at promoting a political party or to form an active part of a referendum campaign.

Radiocommunications Agency

Mr. Ennis: To ask the Secretary of State for Trade and Industry what targets he has set his Department's Radiocommunications Agency for 2001–02. [157021]

Ms Hewitt: I have set the Radiocommunications Agency the following quality of service targets for 2001–02 in respect of its licensing and enforcement activities, and correspondence. These are in addition to achieving on overall efficiency improvement of 3 per cent. over 2000–01.

Licensing Targets

Category A

Licences that involve no frequency assignment, site clearance or international co-ordination: 100 per cent. of applications for new or varied services to be awarded or rejected (with explanation) within five working days.

Category B

Licences that involve frequency assignment but no site clearance or international co-ordination: 90 per cent. of applications for new or varied services to be awarded or rejected (with explanation) within 15 working days; the remainder to be awarded or rejected within 25 working days or an explanation of the delay to be given.

Category C

Licences that require frequency assignment and site clearance and/or international co-ordination: 90 per cent. of applications for new or varied services to be awarded or rejected (with explanation) within 40 working days; the remainder to be awarded or rejected within 60 working days or an explanation of the delay to be given.

Enforcement

100 per cent. of safety of life services reports of interference to be investigated within 24 hours.

98 per cent. of business customers reports of interference to be investigated within five working days; the remainder within a further five days.

98 per cent. of domestic customers reports of interference to be investigated within one month; the remainder within a further month.

90 per cent. of complainants to be sent a formal case update within 10 working days after the start of an investigation, the remainder within a further 10 days.

Correspondence

I also expect all correspondence from hon. Members delegated to the Chief Executive by Ministers or otherwise for reply, and all written complaints addressed to him about Agency services, to be answered within 10 working days of receipt; the Agency's inquiry point to respond to 95 per cent. of calls within 30 seconds; and 100 per cent. of valid invoices to be paid within 30 days of receipt (or as agreed with the supplier).

Tom Bower

Mr. Garnier: To ask the Secretary of State for Trade and Industry (1) what sum has been set aside by his Department to cover his legal expenses in respect of his claim for libel against Mr. Tom Bower and Associated Newspapers; [156741]

(2) when he issued his claim for libel against Tom Bower and Associated Newspapers in respect of the publication of extracts of Mr. Bower's book. [156740]

Mr. Byers: I refer the hon. and learned Member to the reply I gave to the hon. Member for Lewes (Mr. Baker), 2 April 2001, *Official Report*, column 7W.

Lucy Crone

Mr. Grieve: To ask the Secretary of State for Trade and Industry how many employment tribunal hearings were chaired by Lucy Crone between 30 August and 31 December 2000; and if he will list the date, location and names of the parties in each such hearing. [156790]

Mr. Alan Johnson: Lucy Crone chaired 23 cases between 30 August and 31 December 2000. The details requested for these cases are set out in the tables.

Glasgow

Date of hearing	*Case number*	*Applicant*	*Respondent*
November 2000			
6 and 7	S/102120/2000	Mr. J. Burns	The Royal Bank of Scotland
8	S/100197/2000	Mr. D. Bryson	Leithcrest Ltd.
9	S/102361/2000	Mr. R. McCambley	William Grant and Sons Ltd.
16	S/102561/2000	Mrs. L. Wynne	Michael Curran
16	S/102534/2000	Mrs. I. Kerr	Chungwa Pictures Tubes UK Ltd.
22	S/100623/2000	Mr. D. Walker	Douglas Guest t/a Douglas Guest Associates
22	S/103957/2000	Mr. D. Duncan	Mick MacKenzie
23	S/100854/2000	Mr. S. Strang	Duncan and Co. (Scotland) Ltd.—in liquidation
24	S/103024/2000	Mr. D. Cunningham	Stone 3 Ltd.
24	S/102961/2000	Mr. S. Patterson	SCI Communications
27	S/102499/2000	Mr. J. Taylor	A. E. Transport
29 and 30	S/102798/2000	Mr. S. Morgan	Iceland Frozen Foods Ltd.
December 2000			
4 and 5	S/102896/2000	Mr. G. White	Blackbaud Europe Ltd.
6	S/101487/2000	Mr. D. Tagg	Mrs. Mary Eeles t/a Express Packaging Supplies
11	S/101473/2000	Mr. D. Jess	West of Scotland Water
12	S/102258/2000	Mr. N. C. Bannerman	Guardion Security
14	S/103212/2000	Mr. S. Varney	Stan Lavelle
18	S/103341/2000	Mr. Y. Masih	Mr. Rehmat Ali and Family
19	S/103111/2000	Ms L. England	D. O. Stevenson Ltd. (t/a Nova Bathrooms)

Dundee

Date of hearing	*Case number*	*Applicant*	*Respondent*
December 2000			
7	S/300260/1998	Mr. D. J. Gahan	Greenfield Homes (Scotland) Ltd.
7	S/300026/2000	Mrs. F. Gillespie	Envirosafe (Scotland)
20	S/300620/2000	Mrs. C. Bennett	Frasers Studio
22	S/300468/2000	Mrs. A. Brown	Mr. and Mrs. P. Nimmo t/a Peacehaven Residential Care Home

Statutory Instruments

Jane Griffiths: To ask the Secretary of State for Trade and Industry how many statutory instruments were laid before Parliament by his Department each year from 1993 to 1998, inclusive. [156524]

Mr. Byers: The number of Statutory Instruments laid before Parliament by the Department of Trade and Industry from 1993 to 1998 are as follows:

Year	*Number of Statutory Instruments laid before Parliament*
1993	64
1994	126
1995	89
1996	102
1997	121
1998	117

Advantage West Midlands

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will make a statement on the effects of abolishing Advantage West Midlands on businesses in Shrewsbury and Atcham. [156502]

Mr. Caborn: This Government are about ensuring that all regions of the country are given the opportunity to reach their full potential. It is the task of Government to ensure that the right framework is in place for regional economies to flourish.

This is why we established Regional Development Agencies (RDAs)—to improve the economic performance of the English Regions. In the short period of their existence, the RDAs have emerged as the strategic drivers of economic development in the English regions—mirroring the success of their counterparts in Scotland and Wales.

The RDAs have already made a considerable impact. They brought local partners on board to produce Regional Strategies. They have provided a focal point for regional economic development, and they have already established a track record in creating and saving jobs. RDAs have also had a key role in defining the skills needs in their regions in the context of their Regional Strategies.

Our confidence in RDAs is shown in their increased budgets for the new financial year 2001–02. The £1.7 billion they will have by 2003–04 is almost double the amount they inherited in 1999.

Shrewsbury and Atcham companies have already received funding from Advantage West Midlands (Advantage). Companies within the Shrewsbury area have been directly assisted with Rover funding totalling £130,000. I hope that Shrewsbury and Atcham will benefit from the development of the Wolverhampton-Telford high technology corridor, which Advantage is exploring. The Rural Regeneration Zone to the south of the district will, I feel sure, provide much needed support to businesses and communities in the vicinity, improving the local economy and indirectly helping businesses in the Shrewsbury area.

Advantage is working with partners and leading on information, communications and technology (ICT), with a major emphasis on rural areas and market towns. It has taken the initiative and set up a Task Force to assess and address the social and economic impact of the foot and mouth outbreak in the region.

It has approved expenditure of £230,000 for a Regional Organics Centre on the Battlefield Enterprise Park at Shrewsbury.

It has taken an early opportunity to assist the Shropshire Local Learning and Skills Council by allocating a notional £450,000 for 2001–02 for skills development. Companies in Shrewsbury and Atcham, as elsewhere, will benefit from improving the skills of the workforce.

It has made a very significant financial commitment of £2.8 million to restore Flax Mill, a Grade 1 listed building with the objective of providing employment and substantial tourism.

Utility Prices (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will estimate the average change in prices for *(a)* gas and *(b)* electricity to the average consumer in Shrewsbury and Atcham since May 1997; and if he will make a statement. [156501]

Mr. Hain: Average annual domestic bills[1] for customers paying by quarterly credit for *(a)* gas and *(b)* electricity in cash terms in the West Midlands region[2] for 1997 and 2000 are as follows:

	1997	*2000*[3]	*Difference*[4]
Gas[5]	£329	£297	−10
Electricity[6]	£283	£245	−13

[1] Averages are weighted by customer numbers and based on all companies operating in the region.
[2] Figures are those for the Midlands Electricity distribution area and the West Midlands Transco distribution zone.
[3] Provisional.
[4] Per cent. change.
[5] Annual consumption level of 18,000kWh has been assumed.
[6] An annual consumption level of 3,300kWh has been assumed. Customers with electric central heating are likely to consume considerably more electricity

Average bills on a regional basis have been published annually since 1999 in the Department's annual "Digest of UK Energy Statistics" and in the "Energy Report".

Insolvency Service

Mr. Miller: To ask the Secretary of State for Trade and Industry what targets he has set his Department's Insolvency Service Executive Agency for 2001–02. [157022]

Dr. Howells: The Insolvency Service's planning assumption is that compulsory insolvencies will total 26,500 in the year to 31 March 2002. On that basis and with the resources allocated to it, I have set the following performance targets:

To complete sufficient bankruptcy and compulsory liquidation case administrations so that the number of open current cases at 31 March 2002 are no more than 16,775 cases—that is equivalent to no more than eight months new case input; with no more than 2.5 per cent. of those cases being more than 36 months;

to maintain in real terms the unit cost of administering bankruptcy and compulsory liquidation cases over the period 1999–02 at the level of 1998–99, taking account of additional shorter-term cost of its new IT infrastructure and the delivery of improvements in its services to users;

to reduce in real terms the unit costs of its investigation of bankruptcy and liquidation cases by 10 per cent. over the period 1999–02, also taking account of the additional shorter-term costs of its new IT;

to continue to achieve the level of disqualification proceedings and orders against unfit directors as in 2000–01;

to continue to submit reports of criminal misconduct at a level consistent with the Service's investigative case load and resources;

to report to creditors on assets and liabilities within eight weeks in at least 98 per cent. of all cases; and within 12 weeks in 99 per cent. of all cases;

to hold the initial meetings of creditors within 12 weeks in 97 per cent. of all appropriate cases, and within four months in 99 per cent. of all appropriate cases;

to submit disqualification reports within 12 months in at least 65 per cent. of cases and within 15 months in at least 80 per cent. of cases where there is evidence of unfit conduct by directors;

to reduce the average time from a company's insolvency to conclusion of disqualification proceedings from 28 months to 26 months; and to increase the percentage of disqualification cases concluded within 30 months from 68 per cent. to 72 per cent; and within 24 months from 42 per cent. to 45 per cent.; and

to check and action at least 98 per cent. of Insolvency Service's Account payment requisitions within four days or by the due date.

The Service is expected to action 100 per cent. of invoices for payment within 30 days of receipt and 90 per cent. within 20 days of receipt. The Agency Chief Executive is expected to reply within 10 working days to all letters from Members of Parliament delegated to him for reply.

I have asked Agency Chief Executive to continue to work on the development of outcome based targets for the Service's activities; and to continue to review and to seek to improve its quality of service performance in the light of his experience of its new IT infrastructure and the views of its users.

Corus

Mr. Öpik: To ask the Secretary of State for Trade and Industry if the arrangements formulated to protect employees' jobs in the Corus firm can be applied to employees' jobs in the former BSK factory in Llanidloes; and if he will make a statement. [156517]

Mr. Alan Johnson: I am disappointed to learn of the planned closure of BSK Ltd. with the loss of over 200 jobs. I have considerable sympathy with the individuals and local community affected by this decision. I understand that the National Assembly for Wales and the Welsh Development Agency are making every effort to mitigate the losses and are exploring options to retain a foundry operation in the area. Similarly the Government are seeking to minimise job losses at Corus. My right hon. Friend the Secretary of State for Trade and Industry has urged Corus to reconsider its decision to make 6,050 job cuts and has pressed the company to engage in constructive dialogue to identify a better way forward. I am pleased that a dialogue involving Corus, the Trade Unions and Government are now underway and hope this will alleviate the impact of the large scale redundancies proposed.

Departmental Policies (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Trade and Industry if he will set out, including statistical information relating as directly as possible to the Hazel Grove constituency, the effects on Hazel Grove of his Department's policies and actions since 2 May 1997. [156186]

Mr. Caborn: The Department does not maintain statistical information at constituency level.

The hon. Gentleman's constituents, like many others throughout Greater Manchester, will have benefited from my Department's Employment Rights policies which include National Minimum Wage, Working Time Directive, Part-Time Working Regulations and improved Maternity Leave.

In the North West region, my Department's policies have contributed to growth in employment by 107,000 and a fall in unemployment by 63,000; reductions in youth unemployment by 75 per cent. and long-term unemployment by 54 per cent.

DEFENCE

Meteorological Office

Dr. Gibson: To ask the Secretary of State for Defence (1) what progress has been made in re-siting the Meteorological Office; [155992]

(2) if he will review the decision to re-site the Meteorological Office. [156019]

Dr. Moonie: This is a matter for the Chief Executive of the Meteorological Office. I have asked the Chief Executive to write to my hon. Friend.

Letter from Peter Ewins to Dr. Ian Gibson, dated 3 April 2001:

I am replying to your questions to the Secretary of State for Defence about the relocation of the Met Office. This matter falls within my area of responsibility as Chief Executive of the Met Office.

The Under Secretary of State for Defence, Dr Lewis Moonie, announced in the House on 9 November (Official Report, column 326W) that the Met Office has chosen Exeter as its preferred site for relocation. Detailed tenders were submitted at the end of the February by the two consortia seeking to provide the new accommodation. These tenders are now being evaluated with a view to selecting a preferred bidder and further negotiations leading to contract signature by July 2001.

Our existing accommodation in Bracknell is not suitable for a modern, IT based organisation. It places weather forecasting services at unacceptable risk and is increasingly costly to maintain. A new site with purpose built accommodation is the best way of meeting our long-term needs and those of our customers. Defence Ministers scrutinised the choice of site closely and are satisfied that both the financial and non-financial arguments are substantially in favour of Exeter and that this is the best location for the Met Office to build a secure and successful future. Since the choice was made, the arguments in favour of Exeter have, if anything, increased and there are therefore no plans to review the decision.

Missile Defence Systems

Mr. Quentin Davies: To ask the Secretary of State for Defence (1) if he has reviewed the United States Aegis (SM2 BLOCK IV and SM3 missile version) air defence and anti-ballistic missile defence system as the possible basis for ground-based theatre defence for deployed forces; and if he will make a statement; [156729]

(2) if he has recently reviewed *(a)* the Patriot PAC 3 Advanced Capability missile, *(b)* the ground-based Aster 30, *(c)* the Israeli Arrow system and *(d)* other system of theatre anti-ballistic missile and combined anti-ballistic missile and anti-air defence; and if he will make a statement. [156673]

Mr. Hoon: The UK's Pre-feasibility Study undertaken in 1994–96 reviewed all Government sponsored anti-ballistic missile systems either under development or expected to evolve into development programmes. The guidance from this study contributed to the decision, as part of the Strategic Defence Review, to embark on the Technology Readiness and Risk Assessment Programme, which has continued to monitor developments both in the threat and in the technologies available to counter it.

Mr. Quentin Davies: To ask the Secretary of State for Defence if he is committed to the NATO summit decision to recognise the need for extended theatre defence against ballistic missiles for deployed forces; and what steps he intends to take to address this threat. [156678]

Mr. Hoon: The UK is firmly committed to the implementation of the Defence Capabilities Initiative, which was launched at the last NATO summit in Washington DC in April 1999. Since 1998, we have contributed to NATO analysis of how best to defend deployed NATO forces against ballistic missiles, including preparatory work for feasibility studies on Theatre Ballistic Missile Defence. We expect these studies to start later this year. Nationally, we continue to assess the potential role of ballistic missile defence systems in countering missile attacks. We monitor developments closely, but it remains our position that it would be premature to decide to acquire a ballistic missile defence for either UK territory or forces deployed overseas.

HMS Brean

Mr. Quentin Davies: To ask the Secretary of State for Defence what is the operational status of HMS Brean. [156674]

Mr. Spellar: I assume the hon. Member is referring to HMS Ocean.

HMS Ocean is currently undergoing a period of planned maintenance in Devonport. On current plans she will return to sea for trials, commencing in May 2001.

Defence Equipment Projects

Mr. Quentin Davies: To ask the Secretary of State for Defence what are *(a)* the estimated total costs, *(b)* the amounts expended so far and *(c)* the estimated in-service dates in relation to (i) Type 45 destroyer, (ii) Future Aircraft carrier, (iii) Astute class SSN, (iv) Auxiliary Oiler, (v) Landing Platform Dock, (vi) Future Afloat Support, (vii) Strategic Sea Lift ROROs, (viii) Alternate Landing Ships Logistic, (ix) Primary Casualty Receiving Ships, (x) Type 23 Frigate, (xi) Sandown Class Single Role Minehunter, (xii) Fishery Protection replacement, (xiii) Future MCM Capability, (xiv) Nato submarine rescue system, (xv) Multi role survey ships, (xvi) Mark 8 Lynx conversion and rotorhead, (xvii) Merlin ASW helicopter, (xviii) Future Organic AEW aircraft, (xix) Future Carrier Borne Aircraft, (xx) Support and Amphibious Battlefield Rotorcraft, (xxi) Future Air to Surface Guided weapon, (xxii) Stingray life extension programme, (xxiii) Goalkeeper successor system, (xxiv) Sea Dart Extension programme, (xxv) Sea Wolf MLU, (xxvi) Spearfish heavyweight torpedo, (xxvii) ASRAAM, (xxviii) 114mm Gun update, (xxix) Harpoon successor system, (xxx) PAAMS, (xxxi) Swiftsure/Trafalgar sonar update, (xxxii) Sonar 2087, (xxxiii) Sonar 2193, (xxxiv) JTIDS, (xxxv) SAWCS, (xxxvi) Surface Torpedo Defence System, (xxxvii) Co-operative Engagement Capability, (xxxviii) Active Offboard Decoy system, (xxxix) Type 675 jammer successor, (xl) Electric Ship Technology Demonstrator and (xli) Combined Aerial Target Service. [156676]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

HMS Invincible

Mr. Quentin Davies: To ask the Secretary of State for Defence if HMS Invincible is being used in the Landing Platform Helicopter role; and if he will make a statement. [156677]

Mr. Spellar: Operating as a Landing Platform Helicopter (LPH) is a secondary role for an aircraft carrier and is exercised on a periodic basis. HMS Invincible is currently preparing for her next refit. She was last employed in the LPH role between 19 February and 22 March 2001, during Exercise Tartan Relief. HMS Illustrious assumed Fleet Flagship duties on 23 March and in this capacity would be used as the LPH if required.

Military Decorations (Burma Campaign)

Mr. Hilary Benn: To ask the Secretary of State for Defence if he will make a statement on the request for retrospective consideration of military decorations for servicemen in respect of action in Burma during the Second World War. [156736]

Dr. Moonie: The Interdepartmental Committee on the Grant of Honours, Decorations and Medals for the 1939–45 war decided in 1946 that no further awards would be given for wartime operations. It would not be appropriate to attempt to review events which happened more than 50 years ago with a view to altering contemporary decisions made by those closely involved at that time.

EDUCATION AND EMPLOYMENT

Student Loans

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to his answer of 9 February 2001, *Official Report*, column 764W, what nominal rate of interest additional to that supplied in his answer would be required to allow the raising of the income threshold for repayment to £20,000 per annum; and if he will make a statement. [150665]

Mr. Wicks: In 1999–2000 there were an estimated £982 million of income contingent loans issued in England and Wales, with an income repayment threshold of £10,000 per annum. If the income repayment threshold were raised to £20,000 per annum, an estimated nominal rate of interest

of 15 per cent. would be required to increase the net present value of these loans by £0.7 billion over their current net present value.

Mr. Boswell: To ask the Secretary of State for Education and Employment if write-offs of student loan debts initiated by his Department for trainee teachers are planned to be taxable. [155872]

Mr. Blunkett *[holding answer 28 March 2001]:* Detailed proposals for the write-off of student loans are still being developed by my Department. As part of this process, we are discussing the tax position with the Inland Revenue.

Sixth Forms

Dr. Palmer: To ask the Secretary of State for Education and Employment what further financial incentives he plans to introduce to encourage 16-year-olds to stay on in school. [154618]

Mr. Wicks *[holding answer 29 March 2001]:* We are committed to encouraging more students to continue in school, further education or training, and to raising attainment levels. Therefore we are developing a suite of measures to offer young people incentives and support while they stay in learning.

Discretionary student support for further education and sixth form students will increase to £115 million in 2001–02, a rise of 16 per cent. on the 2000–01 allocation. This includes £62 million for further education access funds, up from £54 million in 2000–01, and over £10 million for access funds for sixth form students. The access funds are used to help pay for transport, books, equipment, and other expenditure associated with remaining in education, such as residential charges and childcare costs.

We will continue to make Education Maintenance Allowances (EMAs) available in 56 of the most deprived LEA areas, covering approximately 30 per cent. of England by population. EMAs are a weekly allowance paid to the student or in some cases to the student's family, in return for the student's continuing attendance of an education programme. They aim to encourage young people to remain in full-time education and complete their courses successfully. Payments are means tested on the basis of parental income. Evaluation of the first year of the EMA scheme showed that EMAs lead to a significant increase in the numbers of 16 year olds deciding to remain in full-time education. The Government are considering the case for introducing a national EMA scheme.

We are also introducing the Connexions Card, which will be available to all young people aged 16–19. It will provide a range of incentives to stay in learning, ranging from help with transport costs to discounts on the sorts of goods and activities which young people value. The benefits attached to the Card will be earned through regular attendance and effort.

Teacher Training

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment what proportion of those who applied for teacher training courses started a teacher training course within 12 months in each of the last three years for which figures are available. [155647]

Ms Estelle Morris *[holding answer 29 March 2001]:* Information on the numbers of teacher trainees that start a teacher training course within 12 months of applying as a proportion of the total number of applicants is not collected centrally. Applications to courses leading to Qualified Teacher Status (QTS) can be made at both postgraduate and undergraduate level. Prior to the current applications cycle, information on numbers of applications to ITT courses can be presented only on an England and Wales basis; not for England only. The following tables contain the total numbers of applications that were received for postgraduate and undergraduate initial teacher training (ITT) courses for providers in England and Wales starting in academic years 1998–99, 1999–2000 and 2000–01:

Postgraduate applications to initial teacher training (ITT) 1998–99, 1999–2000 and 2000–01

	1998–99	*1999–2000*	*2000–01*
England and Wales	31,638	33,056	34,860

Source:
Graduate Teacher Training Agency, GTTR

Undergraduate applications to initial teacher training (ITT) 1998–99, 1999–2000 and 2000–01

	1998–99	*1999–2000*	*2000–01*
England and Wales	77,130	66,141	61,382

Note:
Figures represent applications up to the end of the application cycle for each year.
Source:
Universities and College Admissions Service, UCAS

The figures for undergraduate and postgraduate applications cannot be combined as UCAS counts up to six applications per undergraduate applicant and GTTR counts only one application per postgraduate applicant.

Undergraduate primary ITT recruits account for around a half of all primary ITT trainees. Recruitment to primary ITT courses in England has exceeded Government targets for as long as figures are available.

The numbers of people recruited onto ITT courses in England starting in academic years 1998–99, 1999–2000 and 2000–01 are presented:

Recruitment to initial teacher training (ITT) 1998–99, 1999–2000 and 2000–01

England only	*Number*
1998–99	
PG	17,415
UG	8,792
Total	26,207
1999–2000	
PG	17,461
UG	8,506
Total	25,967
2000–01	
PG	19,616
UG	8,099
Total	27,715

Note:
2000–01 ITT recruitment figures are the latest provisional figures.
Source:
TTA Survey of ITT Providers

Recruitment figures for ITT courses in Wales are a matter for the National Assembly for Wales. The full-time equivalent number of regular teachers in the maintained sector in England was over 404,000 in January 2000. This is an increase of 6,900 from January 1998 and the highest figure for a decade.

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment how many applicants there were for teacher training courses in each of the last three years for which figures are available. [155648]

Ms Estelle Morris *[holding answer 29 March 2001]:* Applications to initial teacher training (ITT) courses leading to Qualified Teacher Status (QTS) can be made at both postgraduate and undergraduate level. Prior to the current applications cycle, information on numbers of applications to ITT courses can be presented only on an England and Wales basis; not for England only. To allow a comparison of the latest figures with those of earlier years, the figures presented are for England and Wales combined. The tables show the numbers of applications that have been received up to the start of March for postgraduate and undergraduate ITT courses for providers in England and Wales starting in academic year 2001–02 with figures for comparable dates for the previous two years (courses starting in 1999–2000 and 2000–01):

Latest postgraduate applications to initial teacher training (ITT) 1999–2000, 2000–01 and 2001–02, England and Wales

Year	*Number*
1999–2000 (up to 3 March 2000)	22,522
2000–01 (up to 1 March 2000)	19,981
2001–02 (up to 2 March 2001)	23,699

Source:
Graduate Teacher Training Agency, GTTR

Latest undergraduate applications to initial teacher training (ITT) 1999–2000, 2000–01 and 2001–02, England and Wales

Year	*Number*
1999–2000 (up to 3 March 2000)	64,821
2000–01 (up to 3 March 2000)	60,003
2001–02 (up to 2 March 2001)	51,589

Notes:
1. Figures for undergraduate and postgraduate applications cannot be combined as UCAS count up to six applications per applicant and GTTR count only one application per applicant.
2. Figures represent applications up to 2 March and equivalent for each year.

Source:
Universities and College Admissions Service, UCAS

Undergraduate primary ITT recruits account for around a half of all primary ITT trainees.

Recruitment to primary ITT courses in England has exceeded Government targets for as long as figures are available.

This year, for the first time, applications are also being received for Fast Track teacher training places. A total of 1,574 applications were received for Fast Track places by the 31 January 2001 closing date. Applicants can submit simultaneous applications to both Fast Track and UCAS or GTTR.

The full-time equivalent number of regular teachers in the maintained sector in England was over 404,000 in January 2000. This is an increase of 6,900 from January 1998 and the highest figure for a decade.

Education Maintenance Allowances

Ms Walley: To ask the Secretary of State for Education and Employment if he will make a statement about take-up of education maintenance allowances in Stoke-on-Trent. [155909]

Mr. Wicks: I am pleased to say that the take-up rate of Education Maintenance Allowance in Stoke-on-Trent is high. There are currently 2,267 young people in receipt of an allowance. Recent published evaluation reports show that EMAs are making a positive difference to young people's lives. On average in the pilot areas there is an increase of five percentage points in the number of eligible 16 and 17-year-olds staying in education in the pilot areas because of EMA.

Full-time Students (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Education and Employment what percentage of full-time students stayed in education in the Hazel Grove constituency after the age of *(a)* 16 and *(b)* 18 years in (i) 1992, (ii) 1997 and (iii) 2001. [156177]

Mr. Wicks: At the heart of our drive to improve participation and attainment is the new Connexions Service which we will be phasing in from April this year. The service will provide information, advice, support and access to personal development opportunities for all 13 to 19-year-olds, whatever their needs and circumstances, to keep them learning. Latest figures show that the numbers of 16 to 18-year-olds not in education, employment or training in England fell by 28,000 from 185,000 in 1998 to 15,000 in 1999.

Data on the percentage of students continuing in post-compulsory education at age 16 are not calculated for areas smaller than LEAs. Participation rates by LEA for 16 and 17-year-olds are published in "Statistical Bulletin 11/00: Participation in education and training by young people aged 16 and 17 in each local area and region, England, 1994–95 to 1998–99".

The percentage of 16-year-olds in full-time education for Stockport LEA, which includes the constituency of Hazel Grove, was 75 per cent. in 1992–93, 66 per cent. in 1997–98 and 67 per cent. in 1998–99, the latest year for which figures are available.

New Deal

Mr. Field: To ask the Secretary of State for Education and Employment if he will provide the most recent data on the outcomes of those people who had their initial New Deal interview in January 1998. [156271]

Ms Jowell *[holding answer 30 March 2001]:* While we do not track people in the longer term once they have left the New Deal programme, we do keep details of their immediate destination on leaving. Of the 4,032 young people who had their initial interview in January 1998, 39 per cent. left New Deal for unsubsidised employment,

10 per cent. transferred to another benefit, 25 per cent. left for another known destination, and 24 per cent. left to an unknown destination.

Comprehensive surveys have shown that 56 per cent. of those young people who are recorded as having left for an unknown destination are likely to have entered employment.

Education Development Plans

Mr. Gapes: To ask the Secretary of State for Education and Employment what plans he has to change the year of calculation of education development plans to a financial year basis. [156442]

Ms Estelle Morris: Local education authorities' targets for raising pupil attainment are the key elements of an education development plan. These targets are necessarily related to schools' academic years. Information about an authority's planned expenditure in support of their EDP is already included in the plan on a financial year basis. New regulations and guidance will be required for the next generation of EDPs from 2002, which are under consideration.

Beacon Schools

Mrs. May: To ask the Secretary of State for Education and Employment if he will list those Beacon schools which have received a second Ofsted inspection and those which have received Beacon status following a second inspection. [156475]

Ms Estelle Morris *[holding answer 2 April 2001]:* Inspection evidence is an important factor in the award of Beacon status and in the process of validating a school's continuing operation as a Beacon, but it is not the sole determining criterion. Consistently high performance in relation to school circumstances and the capacity, experience and willingness to build partnerships with other schools are also key factors that are taken into account. We have no record of how many inspections a school may have received prior to being awarded Beacon status. However, 111 Beacon schools have received an Ofsted inspection since becoming a Beacon:

Aboyne Lodge Junior Mixed and Infant School
Ashton on Mersey School
Birkdale High School
Bishop Luffa Church of England School
Black Horse Hill Junior School
Blackfriars School
Broad Oak Primary School
Broughton Infant School
Carwarden House Community School
Christ Church Church of England Primary School
Clifton Hill School
Colleges Nursery School
Coulsdon Nursery School
Cunningham Hill Infant School
Dixons City Technology College
Downe Manor Primary School
Dunmore Junior School
Eglingham Church of England First School
Enfield County School
Etchingham Church of England Primary School
Exhall Grange School
Fair Oak Junior School
Garden Suburb Infant School
Grange Lane Infant School
Habergham High School
Haggerston School
Hartwell Church of England Primary School
High Greave Junior School
High Storrs School
Highburton Church of England Voluntary Controlled First School
Hillborough Junior School
Hilton Lane Primary School
Hummersknott Community School
King David High School
Kirk Hallam Community Technology College
Knowle Church of England Primary School
La Sainte Union Catholic Secondary School
Linden Bridge School
Loose Infant School
Lytham Hall Park Primary School
Margaret McMillan Nursery School
Mary Elliot School
Meadowhead School
Merrivale Nursery School
Montrose School
Newchurch-in-Pendle St. Mary's Church of England School
North Nibley Church of England Primary School
Northview Primary School
Notre Dame Catholic Primary School
Notre Dame Roman Catholic Girls' School
Orleton Church of England Primary School
Our Lady and St. Philomena's RC Primary School
Our Lady's Convent Roman Catholic High School
Pennywell Nursery School
Pensby High School for Girls
Penwortham Girls' High School
Pownall Green Primary School
Priory School
Ranelagh Church of England School
Redhill Primary School
Reynalds Cross School
Riverhead Infant School
RNIB New College
Robin Hood Junior and Infant School
Rodborough School
Sacred Heart High School
Saint Gregory's Catholic Comprehensive School
Scarcroft Primary School
Shaldon Primary School
Sharnbrook Upper School and Community College
Silverdale School
Sir John Cass's Foundation Primary School
St. Angela's Ursuline Convent School
St. Anne's Nursery School
St. Antony's RC Primary School
St. Brigid's Catholic Primary School
St. Catherine's RC Primary School
St. Edmund Arrowsmith Catholic High School
St. Elizabeth's Catholic Primary School
St. Gregory's RC Voluntary Aided Primary School

St. Helen's Primary School
St. Joan of Arc Catholic Primary School
St. Joseph and St. Theresa Catholic Primary School
St. Joseph's Catholic Primary School, Wetherby
St. Joseph's RC Voluntary Aided Comprehensive
St. Julie's Catholic High School
St. Mary's RC Junior School
St. Nicholas Catholic Primary School
St. Philip's Church of England Primary School, Atherton
St. Thomas' Church of England Primary School
Stockcross Church of England School
Sutton in Craven Church of England Voluntary Controlled
Swanshurst School
The Ecclesbourne School
The Ellen Wilkinson School for Girls
The Grey Coat Hospital
The Grove Special School
Thomas Telford School
Trinity Catholic High School
Tubbenden Infant School
Ubley Church of England Primary School
Urchfont Church of England Primary School
Walkden High School
West Oaks School
Westborough High School
Wimbledon Chase Middle School
Windlesham Village Infant School
Winklebury Infant School
Woodhouse Primary School
Yealand Church of England Primary School
Yerbury Primary School.

Literacy and Numeracy (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how much was spent by schools on *(a)* literacy and *(b)* numeracy in Shrewsbury and Atcham (i) in May 1997 and (ii) on the most recent date for which figures are available; and if he will make a statement. [156492]

Ms Estelle Morris: The Department does not collect information on the level of spending by individual schools on particular areas of expenditure. In 1997–98, Shropshire LEA received £233,000 for books for schools. Since 1998–99, Shropshire LEA has been allocated total funding of £3,846,472 to support the implementation of the National Literacy and Numeracy Strategies in primary schools, including funding for books for schools. This also includes the allocations now made for 2001–02 of £619,405 for literacy and £669,904 for numeracy. For 2001–02, Shropshire has also been allocated funding of £399,823 for the English and mathematics strands of the Key Stage 3 Strategy.

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment what percentage of 11 year-olds in Shropshire attained marks above the national average in *(a)* English and *(b)* mathematics (i) in May 1997 and (ii) at the latest date for which figures are available; and if he will make a statement. [156644]

Ms Estelle Morris: The percentage of eligible pupils attaining level 4 or above in the English and mathematics Key Stage 2 assessment tests for 1997, 1998 and 2000 in the Shropshire local education authority are shown in the table;

Percentage

	English		*Mathematics*	
Year	*Shropshire*	*England*	*Shropshire*	*England*
1997	[1]62	63	[1]61	62
1998	69	65	64	59
2000	79	75	77	72

[1] 1997 figures for Shropshire relate to the local education authority prior to the local Government re-organisation of April 1998.

The Government have set themselves the target of 80 per cent. of 11 year-olds reaching the expected level in English and 75 per cent. reaching the expected level in mathematics by 2002.

In 2000, the percentage of children reaching level 4 in English rose by 4 per cent. from 71 to 75 per cent., building on the previous year's 6 per cent. increase. This means that there has been a 10 percentage point rise since 1998. In mathematics, the percentage of children achieving level 4 has risen by 3 per cent. from 69 to 72 per cent. This means that there has been a 13 percentage point rise since 1998. In Shropshire, between 1998 and 2000, the increase in performance of pupils in both English and mathematics was the same as the national rate.

The results show teachers and pupils are firmly on track to meet the targets. There is also more evidence beneath the headline figures of the success of the literacy and numeracy strategies. The results show that standards are also being raised in the earliest years of primary education.

Disabled Students (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many students in Shrewsbury and Atcham have benefited from the disabled students' allowance; how much has been spent in total on these students; and if he will make a statement. [156507]

Mr. Wicks: Data are only available by local education authority, not by constituency area. Shropshire LEA paid out in disabled students allowances (DSAs) in academic year 1998–99 as follows:

£

DSAs	*Students*	*Expenditure*
General allowance	16	2,255
Non-medical personal help	42	52,654
Specialist items of equipment	40	58,364
Total	98	113,273

Note:
Students may be in receipt of more than one allowance and therefore there will be an element of double counting in the student figures.

Provisional estimates suggest that 70 full-time undergraduate, 15 part-time and 10 postgraduate students at a total cost of £240,000 will have received DSAs in Shropshire in 2000–01, a doubling of expenditure in two years. The Government's policies of removing the means test for DSAs in 1998–99 and extending DSAs to part-time and postgraduate students in 2000–01 have

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benefited disabled higher education students in every area of the country, leading to an increase in expenditure on DSAs in England and Wales from £10.4 million in 1996–97 to an estimated £34 million this academic year.

Beacon Schools (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list each school in Shrewsbury and Atcham that has been awarded Beacon status, indicating the size of grant given to each; and if he will make a statement. [156513]

Ms Estelle Morris: There is one Beacon school in Shrewsbury and Atcham—The Grange Junior School. The school receives additional funding of £39,000 a year for the dissemination of good practice. It is one of a national network of 587 Beacon schools that are helping to raise standards by building partnerships with others, sharing expertise and providing professional support to teachers across the country.

Ambition:IT

Jane Griffiths: To ask the Secretary of State for Education and Employment if he will include Reading in the list of pilot areas for Ambition:IT. [156525]

Ms Jowell *[holding answer 30 March 2001]:* Ambition:IT will run in five pilot areas to be announced later in the Spring. A short list of areas for the pilot has already been announced: they are London, Manchester, Birmingham, Leeds, South Yorkshire, Liverpool, Tyneside, Cardiff, Glasgow, and Edinburgh and the Forth area. Areas have been selected on the basis of strong employer demand and high local levels of unemployment; both criteria had to be met for an area to be considered. On objective grounds, Reading does not meet both these criteria.

Training (Manchester)

Mr. Tony Lloyd: To ask the Secretary of State for Education and Employment how many training places are available in Manchester for work-based learning for adults; and what the ratio is of adult unemployed to these training places for *(a)* Manchester and *(b)* England and Wales. [156648]

Mr. Wicks *[holding answer 2 April 2001]:* At 24 December 2000 (the latest date for which data are available), there were 623 people in Government-supported training on work-based learning for adults in the Manchester Training and Enterprise Council area and 16,359 adult unemployed, approximately one person in training to every 26 unemployed. Comparative figures for England and Wales are: 32,509 in training, 646,340 adult unemployed, approximately one person in training to every 20 unemployed.

Education Finance (Newcastle upon Tyne)

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will make a statement on the *(a)* educational SSA, *(b)* grants and *(c)* capital allocation in Newcastle upon Tyne for 2001–02. [156659]

Ms Estelle Morris *[holding answer 2 April 2001]:* I refer my hon. Friend to the letter sent to him by the Secretary of State on 16 February. National increases of £100 million in both the School Standards Grant and the devolved New Deal for Schools capital grant were announced in the Budget on 7 March. Newcastle upon Tyne's share of the increase in the Schools Standards Grant will total £0.5 million; its share of the additional New Deal for Schools capital grant will also total £0.5 million.

In addition, since 16 February, further allocations have been made to Newcastle upon Tyne from the Standards Fund. Recurrent allocations to the authority now total some £13.1 million for 2001–02. Capital allocations for 2001–02 have also been announced, and Newcastle upon Tyne will be receiving £4.3 million, including the addition for New Deal for Schools capital mentioned above. The capital figures may be altered slightly in May, when allocations of New Deal for Schools Condition funding will be adjusted if appropriate to take account of additional data submitted by the authority.

As a result of these increases, total funding allocated for Newcastle upon Tyne in 2001–02 is:

	£ million
Education SSA	118.0
Grants	14.0
Capital	4.3

Vocational GCSEs

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the subjects to be made available as vocational GCSEs from September 2002. [156667]

Mr. Wicks *[holding answer 2 April 2001]:* From September 2002, vocational GCSEs will be available in the following subject titles: Art and Design, Business, Engineering, Health and Social Care, Information and Communication Technology, Leisure and Tourism, Manufacturing and Science.

Individual Learning Accounts

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will make it his policy to extend eligibility for individual learning accounts to include those aged 18 and studying part-time. [156669]

Mr. Wicks *[holding answer 2 April 2001]:* There are no current plans to change the age criteria for Individual Learning Accounts (ILAs) which are available to anyone aged 19 or over. Account holders can use their ILAs for full or part-time courses as long as the learning is eligible for the ILA incentives. The vast majority of education and training is provided free to people aged under 19. Currently some people aged 18 have to pay for certain types of learning themselves. My Department has addressed this issue and from September of this year no 16 to 18-year-olds undertaking part-time learning will be charged tuition fees.

Oxbridge Admissions

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will make it his policy to require Oxford and Cambridge universities to provide his Department with the information they collect in respect of

admissions to constituent colleges categorised by previous educational establishment for each of the last five years; and if he will publish this information. [156670]

Mr. Wicks *[holding answer 2 April 2001]:* Cambridge and Oxford University have published information on admissions for entry in 2000 from both the maintained and independent sector, disaggregated by college. The relevant extracts are in the tables. These data are not collected centrally and the universities themselves are responsible for its accuracy. The data have not been collected in the same way for each of the last five years.

We welcome the publication of this information, and the steps taken by both universities to widen participation. We encourage them to continue this valuable work.

Cambridge University—Entry 2000: Undergraduate applications and acceptances

Percentage

College	*Applications from maintained sector*		*Acceptances from maintained sector*	
	Entry 2000	*Entry 1999*	*Entry 2000*	*Entry 1999*
Christ's	55	55	37	49
Churchill	75	78	68	76
Clare	56	56	55	46
Corpus Christi	49	49	39	39
Downing	51	51	41	46
Emmanuel	61	56	54	42
Fitzwilliam	71	73	66	67
Girton	61	65	61	58
Gonville and Caius	48	46	48	39
Jesus	57	53	54	49
King's	84	86	77	79
Madalene	42	46	36	50
New Hall	59	62	58	59
Newnham	58	60	49	51
Pembroke	55	58	50	53
Peterhouse	52	53	43	40
Queen's	60	61	55	57
Robinson	65	62	56	58
Selwyn	58	50	49	41
Signey Sussex	55	48	45	43
St. Catherine's	58	58	52	63
St. John's	52	58	45	55
Trinity	56	53	48	43
Trinity Hall	55	56	47	46
All standard colleges	59	59	52	53
Mature student colleges (Hughs Hall, Lucy Cavendish, St. Edmunds and Wolfson)	86	89	87	83

Oxford University Entry 2000: Undergraduate Offers

Undergraduate College	*Percentage to those from the state sector*	*Percentage of those from the independent sector*
Balliol	56.1	43.9
Brasenose	44.2	55.8
Christ Church	47.2	52.8
Corpus Christi	55.6	44.4
Exeter	59.8	40.2
Harris Manchester[1]	100	0
Hertford	61.3	38.7
Jesus	56.5	43.5
Keble	65.3	34.7
Lady Margaret Hall	47.3	52.7
Lincoln	46.4	53.6
Magdalene	46.2	53.8
Mansfield	74.6	25.4
Merton	61.4	38.6
New	47.6	52.4
Oriel	40.4	59.6
Pembroke	44.9	55.1
Queen's	53.3	46.7
Somerville	59.6	40.4
St. Anne's	60.7	39.3
St. Catherine's	55.9	44.1
St. Edmund Hall	42.2	57.8
St. Hilda's	53.0	47.0
St. Hugh's	49.6	50.4
St. John's	69.9	30.1

Oxford University Entry 2000: Undergraduate Offers

Undergraduate College	*Percentage to those from the state sector*	*Percentage of those from the independent sector*
St. Peter's	51.3	48.7
Trinity	44.4	55.6
University	48.0	52.0
Wadham	66.2	33.8
Worcester	46.8	53.2
Total	53.6	46.4

[1] Harris Manchester only admits students aged over 25

National Training Organisations

Mr. Robert Jackson: To ask the Secretary of State for Education and Employment, (1) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, what representations *(a)* he and *(b)* his officials received from trades unions representatives on the future National Training Organisation representation for the telecoms industry, indicating the dates of meetings and their outcome; [156840]

(2) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, what discussions *(a)* he and *(b)* his officials have held with e-skills and EMTA—the

Engineering and Marine Training Authority—on the future National Training Organisation representation for the telecoms industry; [156838]

(3) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, what discussions *(a)* he and *(b)* his officials have held with the NTO National Council on the future National Training Organisation representation for the telecoms industry, indicating the dates of the meetings and their outcome; [156839]

(4) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, how many organisations have been sent the consultation paper by his Department on the future National Training Organisation representation for the telecoms industry; and if he will list them; [156836]

(5) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, what discussions *(a)* he and *(b)* his officials have held with board members of the former NTO-telecom on the future National Training Organisation representation for the telecoms industry, indicating the dates of meetings and their outcome; [156841]

(6) pursuant to his answer of 22 March 2001, *Official Report*, column 334W, how many replies have been received in response to the consultation exercise undertaken by his Department on the future National Training Organisation representation for the telecoms industry. [156837]

Mr. Wicks: The consultation paper has been sent to a total of 2,330 organisations, a list of which has been placed in the Library. The document has also been made available on the internet. The Department's Consultation Unit has received 143 replies.

This Government are committed to a strong network of employment led National Training Organisations (NTOs). As part of the consultation process, Ministers and officials have discussed with senior employer representatives from the telecommunications and call handling sector future NTO arrangements for the industry.

No discussions have been held, by Ministers or officials, with the NTO National Council or with trades unions representatives on the future NTO representation for the telecoms industry. Ministers have however received correspondence from trade union representatives on this matter.

Officials held discussions with the Chairman and Acting Chief Executive of nto tele.com on 16 August 2000. The Chief Executive of EMTA was also present at that meeting. No other discussions have been held with e-skills NTO and EMTA on the future NTO representation for the telecoms industry.

School Achievement Awards

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list for each school which has received an improvement award for 1997 and 2000 the key stage test or GCSE/GNV results and the ranking of the differences between the two years. [154743]

Ms Estelle Morris *[holding answer 20 March 2001]:* The schools that received an improvement award based on their 1997 and 2000 pupil performance data are contained in tables, copies of which have been placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Foot and Mouth

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what progress has been made with setting up and activating the Livestock Welfare (Disposal) Scheme in response to the outbreak of foot and mouth disease; and if he will make a statement. [157025]

Ms Quin: The Livestock Welfare (Disposal) Scheme as announced by my right hon. Friend the Minister of Agriculture in his statement to the House on 27 March 2001, *Official Report*, columns 827–31, has already opened to applications. First payments are due to be made before Easter.

Parliamentary approval for additional resources for this new service will be sought in the 2001–02 Summer Supplementary Estimate for the Intervention Board Executive Agency. Pending that approval urgent expenditure estimated at £240 million will be met by a repayable cash advance from the Contingencies Fund.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will provide a breakdown of sheep journeys in February by *(a)* movements direct to aggregation facilities prior to export, *(b)* live exports, *(c)* movements from farm direct to slaughter, *(d)* movements from farm to livestock markets, *(e)* movements from livestock markets direct to abattoirs, *(f)* movements from livestock markets to farms, *(g)* movements between farms arising from private sales, *(h)* movements between parcels of land in same ownership, *(i)* movements from winter keep to the home farm and *(j)* other movements. [156660]

Mr. Morley *[holding answer 2 April 2001]:* The full information requested is not readily available and could be obtained only at disproportionate cost. But 118 consignments of sheep were exported to other member states during February.

Factortame Judgment

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list the names of the persons who are entitled to receive compensation from Her Majesty's Government as a result of the Factortame judgment, with the amount of entitlement in each case. [155130]

Mr. Morley: Agreement has been reached out of Court with all bar two of the 93 applicants in the Factortame litigation in full and final settlement of their claims against the United Kingdom Government. Full details of the settlements are set out in the table. The two exceptions, Parafleet Ltd. and Presslake Ltd., have appealed against the decision of the Court to strike out their claims in respect of two additional vessels. Those appeals are expected to be heard later this year.

£

Claimant	*Amount*
Agegate Ltd.	501,360
Alabau Ltd.	519,730
Anglebusy Ltd.	11
Anglo Spanish Fisheries Ltd.	66
Astonquest Ltd.	267,062
Baladome Ltd.	66
Baomar UK Ltd.	55

Claimant	£ Amount
Basamar Fisheries Ltd.	1,521,880
Big John Ltd.	302,232
Bowman and Sons Ltd.	229,786
Britgal Ltd.	366,555
Britgal UK Ltd.	271,558
Burlort Ltd.	112,797
Jose Carreja Riviera Francisco Baltar Carreja Interpesco SA	11
John Andrew	—
Couceiro	—
Joseph Luis	—
Couceiro	—
Caughtafish Ltd.	404,797
Cavenhart Ltd.	415,370
Charmbuy Ltd.	240,978
Checkleap Ltd.	66
Cmaine Shipping Ltd.	2,033,043
Coingate Ltd.	420,219
Cutlerstar Ltd.	659,552
Dartclaim Ltd.	488,681
Dashgilt Ltd.	234,249
Decanos Ltd.	401,217
Detect Sea Enterprises Ltd.	2,904,105
Fabucar Ltd.	757,483
Factortame Ltd.	584,705
J. J. Fernandez	702,225
Costa Fishing Explorer Ltd.	2,441,305
Flagperry Ltd.	613,621
Gadsound Ltd.	574,372
Galaza Fisheries Ltd.	528,275
Glover Associates Ltd.	655,786
Grangedock Ltd.	44
Gregcrest Services Ltd.	147,896
Hayton of Fleetwood Ltd. J. K. Hayton K. P. Hayton C. S. Hayton	1,500,000
Hercules Fishing Ltd.	374,469
Hookdown Ltd.	346,437
Imphill Ltd.	347,811
Interpesco Securities Ltd.	1,415,099
Interpesco UK Ltd.	965,059
Intxorta Ltd.	1,477,667
Jaderow Ltd.	1,863,090
Joincode Ltd.	357,930
Jose Dolores Fishing Ltd.	605,123
Kuko Fisheries Ltd.	611,554
Laira Fishing Ltd.	472,296
Leicester Trawling Ltd.	257,063
Linesweep Ltd.	198,171
London Shipping Enterprises Ltd.	11
Luckyextra Ltd.	569,611
Majorangle Ltd.	617,911
Marina Fishing Ltd.	436,748
Marone Fisheries Ltd.	221,401
Millbay Secretarial Ltd.	328,225
Millbay Trawler Management Ltd.	284,723
Mouro Fisheries Ltd.	1,170,597
Narrowstyle Ltd.	385,852
Nashscope Fishing Ltd.	694,583
Neptune Ltd.	550,405
North West Fishing Ltd.	658,702
Mr. J. A. O'Connor Mrs. M. V. O'Connor	123,818
Oderule Ltd.	494,806
Ondar Ltd.	515,794
Pamona Ltd.	289,105
Parada Ltd.	124,025
Parafleet Ltd.	455,761
Paydual Ltd.	360,590
Pesca Fisheries Ltd.	3,223,701
Pimar Fisheries Ltd.	44

Claimant	£ Amount
Plinthorp Ltd.	649,699
Plymouth Shipping Ltd.	472,098
Portfish Ltd.	30,088
Presslake Ltd.	118,820
Racefind Ltd.	66
Rawlings (Trawling) Ltd.	546,164
Rentkeep Ltd.	2,483,556
Robrisa Fishing Ltd.	541,189
Rowtrade Ltd.	355,845
Ruby Fishing Ltd.	371,672
SFP Fisheries Ltd.	4,500,000
Sun Fisheries Ltd.	400,524
Troulo Fisheries Ltd.	168,015
Trygrace Ltd.	77
Vincentpride Ltd.	442,369
Voiceplan Ltd.	807,674
Votereach Ltd.	72,888
Whery Fish Selling Company Ltd.	88
White Fisheries Ltd.	404,636
Whiteplain Ltd.	276,911
Wickstone Ltd.	547,896
Widows Ltd.	176,498
Winleap Ltd.	77
Total	54,966,190

Floods

Fiona Mactaggart: To ask the Minister of Agriculture, Fisheries and Food when he will undertake studies of the causes of floods since October 2000 in Colnbrook, Slough. [156238]

Mr. Morley: Responsibility for such studies rests with local flood defence operating authorities, such as the Environment Agency and local councils, and other bodies, such as water companies. I understand from the Environment Agency that the flooding experienced at Colnbrook was due to a combination of factors, with prolonged and exceptional rainfall exceeding the capacity of local watercourses and surface water drains, and giving rise to high groundwater levels. For its part, the Agency is investigating the feasibility of flood alleviation measures for County Ditch.

INTERNATIONAL DEVELOPMENT

Mozambique

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on flooding in Mozambique. [156539]

Clare Short: The situation in Mozambique is stabilising and is showing some signs of improvement but remains serious. The continued effective management of the dam discharge rates has helped to alleviate the effects of the seasonal rains on the lower Zambezi. The wet season is now drawing to a close reducing the threat of further flooding.

Government of Mozambique reports continue to describe some 494,500 people in the Zambezi Valley as being affected by the current flooding. The Government of Mozambique estimate that some 204,130 are now accommodated in 77 temporary accommodation centres in the four flood affected provinces of Sofala, Tete, Manica, and Zambezia. As floodwater in the eastern part

of Zambezia Province recedes, some of the displaced population are leaving the temporary accommodation centres and returning to their homes.

Following the immediate relief operation in response to last year's catastrophic floods in Mozambique, my Department has remained engaged in rehabilitation as well as in developing new measures, via the United Nations system, to strengthen both UN and Government of Mozambique contingency arrangements for future disasters. Over the past few months DFID, FCO, MOD, the Royal National Lifeboat Institution and the UK Fire Service have been working together to prepare contingency plans for different emergency scenarios. In addition we have continued to work closely with the Government of Mozambique's National Directorate of Water to set up early warning flood systems with the UK Met Office.

Following the onset of the current floods, we switched gear to immediate response operations deliberately aimed at 'preventative' rescue and relief, i.e. extricating people before the worst hits them and there is substantial loss of life and suffering. In addition to contributing £250,000 to the Red Cross and £160,000 to Food for the Hungary's appeal for Mozambique, we funded two Puma helicopters to move people from the riskiest areas and transport urgent relief supplies; provided three logisticians to the World Food Programme to assist in its operational response; and provided a humanitarian specialist in Beira to reinforce DFID presence on the ground and conduct field assessments.

Clean Water Supplies

Mr. Cox: To ask the Secretary of State for International Development if she will list those countries for which her Department provides aid for the development of policies relating to the accessibility of clean water supplies. [156702]

Clare Short: The countries in which my Department supported development of policies, at either local or national level, relating to the accessibility of clean water supplies are listed. This relates to financial year 1999–2000.

Afghanistan
Angola
Bangladesh
Brazil
Burkina Faso
China
Congo, Democratic Republic
Czech Republic
Egypt, Arab Republic
El Salvador
Eritrea
Ethiopia
Gambia, The
Ghana
Grenada
Guyana
Honduras
India
Iran
Iraq
Kenya
Kyrgyzstan, Republic of
Laos
Lesotho
Liberia
Macedonia
Madagasar
Malawi
Moldova, Republic of
Montserrat
Mozambique
Nepal
Nigeria
Pakistan
Russian Federation
Rwanda
Senegal
Sierra Leone
South Africa, Republic of
Sri Lanka
St. Helena
St. Lucia
Sudan
Swaziland
Tanzania
Thailand
Uganda
Ukraine
Vietnam
West Bank and Gaza
Yugoslavia
Zambia
Zimbabwe.

NORTHERN IRELAND

Dublin and Monaghan Bombings

Mr. Corbyn: To ask the Secretary of State for Northern Ireland what requests he has received to provide information to the independent commission of inquiry established by the Irish Government into the 1974 Dublin and Monaghan bombings; and what has been his response. [155971] [155972]

Dr. Reid: I have received a request from Mr. Justice Henry Barron, the Independent Commissioner of Inquiry into the Dublin, Monaghan and Dundalk bombings, for all relevant information held by the UK Government relating to these incidents. This request has been shared with all relevant Government Departments and Agencies, including the Ministry of Defence, who are currently

researching archived records to establish what information they hold. I have assured Judge Barron that I will respond substantively as soon as I am in a position to do so.

I am replying on behalf of the Secretary of State for Defence of whom this question has also been asked but who has not received a separate request from the Independent Commission of Inquiry.

Fatal Incident Inquiries

Dr. Godman: To ask the Secretary of State for Northern Ireland what representations he has received concerning the holding of an inquiry into a controversial death at the same time as *(a)* the continuation of a police investigation, *(b)* the continuation of an inquiry by the Northern Ireland Police Ombudsman and *(c)* the continuation of a coroner's inquiry; and if he will place a copy of this advice in the Library. [156538]

Dr. Reid: I have received a range of representations concerning the holding of inquiries in such a case. I am not legally precluded from establishing a public inquiry in advance of the conclusion of any criminal investigation. However, I believe that to do so would carry the significant risk of prejudicing the outcome of any investigation.

FOREIGN AND COMMONWEALTH AFFAIRS

Palestine

Mr. Gareth R. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the EU Commissioner's meetings with Chairman Arafat with particular reference to *(a)* violence and *(b)* corruption. [155758]

Mr. Wilson: The EU Troika of Anna Lindh, the Swedish Foreign Minister, Commissioner Patten and Miguel Moratinos (the EU's Special Envoy to the MEPP) visited Israel, the Palestinian Authority and Egypt on 12 and 13 March. They met with Israeli Prime Minister Sharon, Israeli Foreign Minister Peres, President Arafat, Egyptian President Mabarak and Egyptian Foreign Minister Moussa. The visit went well. The Troika delivered strong messages to the Israelis and the Palestinians, including on the need to end the violence. The Troika urged the Israelis to end the economic siege of the Palestinians and resume the transfer of customs revenues due to the Palestinian Authority.

The Palestinians have, since the visit, written to Commissioner Patten accepting the EU requests that they work up an austerity budget and improve the transparency and accountability of their financial management.

Dr. Vis: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to Chairman Arafat about the actions which he has taken against the Tanzim. [156067]

Mr. Wilson: The Government expect both the Palestinian Authority and the Government of Israel to insist on restraint and disciplined behaviour by their military and security personnel, and to restrain extremism. We are in regular contact with both parties, and urge them to take immediate parallel steps to address the current crisis.

Turkmenistan

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received a formal response from the Turkmen authorities to the demarche issued in February concerning the continuing incarceration of Shageldy Atakov. [156086]

Mr. Vaz: The Turkmen Foreign Minister undertook to respond formally to the EU/US demarche in February but has not yet done so. We intend to remind the Turkmen authorities of our concern within the next week.

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Turkmen authorities about their obligations in respect of the Shageldy Atakov case under the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. [156087]

Mr. Vaz: On 23 February, EU Partners and the US issued a demarche to the Turkmen Foreign Minister regarding Shageldy Atakov's detention. We used this opportunity to remind the Turkmen Government of their international human rights commitments, which include those under the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. We will continue to remind the Turkmen Government of their legal obligations in future representations regarding Mr. Atakov.

Syria

Mr. Ivan Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts he has made to ensure that arms sales to Syria do not fall into the hands of *(a)* Hizbullah, *(b)* Hamas and *(c)* Islamic Jihad. [155995]

Mr. Wilson: As for all other countries, we consider all applications for licences to export military equipment to Syria on a case-by-case basis against the consolidated EU and national arms export licensing criteria, taking careful account in case of the nature of the equipment and the proposed end-use and end-user. If there is a clear risk that the proposed export might be used for internal repression, external aggression or diverted to an undesirable end-user the licence is refused.

Opinion Polls

Mr. St. Aubyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* quantitative and *(b)* qualitative analytical work his Department has commissioned from GGC/NOP since 1 May 1997; and what was (i) the cost of the contract and (ii) the specific nature of the work commissioned. [155662]

Mr. Wilson *[holding answer 28 March 2001]:* I refer the hon. Member to the answer which the then Minister of State, Mr Fatchett, gave to the hon. Member for Rutland and Melton (Mr. Duncan), on 2 April 1998, *Official Report*, column 630W.

Iran

Dr. Vis: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has

had with his European colleagues regarding the inter-ballistic missile capability of Iran; and if he will make a statement. [156068]

Mr. Wilson: I have not recently raised Iran's ballistic missile capability with European colleagues, but we remain concerned by Iran's development and testing of the Shabab-3 ballistic missile which has a range of 1,300 kms. We regularly engage the Iranian authorities on non-proliferation issues, and have urged Iran to refrain from the further development of such missiles, while understanding Iran's legitimate security concerns. We continue to work with our European partners on missile proliferation issues through the Missile Technology Control Regime.

Falun Gong

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Chinese Government about its attitude towards practitioners of Falun Gong. [156408]

Mr. Battle: We take every appropriate opportunity to raise with the Chinese authorities our concerns about the treatment of Falun Gong practitioners. I did so with the Chinese Ambassador on 30 November 2000. During the sixth round of the UK/China human rights dialogue held in Beijing on 12–14 February, we pressed the Chinese Government to cease actions against Falun Gong adherents which contravene international human rights standards including the excessive use of force, and of administrative detention and psychiatric institutions.

I also spelt out the UK's concerns on human rights in China, including the treatment of Falun Gong adherents, in my address at the UN Commission on Human Rights on 22 March.

Holocaust Denial

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Lebanese Prime Minister on the planned conference by the Institute of Historical Review on 31 March regarding Holocaust denial. [156440]

Mr. Vaz: The conference has been banned by the Lebanese Government, following representations by the EU, and will not now take place.

Iraq

Mr. Bill O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will publish his review of the sanctions imposed on Iraq; and if he will make a statement. [156775]

Mr. Wilson: We continue to discuss Iraq policy with the US, other key partners and countries in the region. We wish to ensure the most effective policy to prevent Iraq from re-equipping its armed forces and re-building its WMD while minimising the effects of UN controls on the Iraqi people. Any adjustments to our policy would of course be announced.

Visa Applications

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if *(a)* he, *(b)* the Permanent-Under Secretary and *(c)* the Director for the Public Departments was notified (i) orally and (ii) in writing about the Minister for Europe's decisions to reverse visa refusals. [156530]

Mr. Vaz *[holding answer 2 April 2001]:* I have overturned visa refusals only at the request of right hon. and hon. Members, if I am satisfied that the applicants qualify under the Immigration Rules. In such cases the Joint Entry Clearance Unit notifies in writing relevant parts of the Foreign and Commonwealth Office and the right hon. or hon. Member is notified in writing.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will review the effectiveness of the work of entry clearance officers, with particular reference to the refusal of visa applications. [156528]

Mr. Vaz *[holding answer 2 April 2001]:* No, I am very satisfied with the practices and procedures which have been in place over the last four years.

The work of entry clearance officers is kept under constant review by entry clearance managers, who have a specific responsibility for reviewing all visa refusals.

Visa refusals either carry a right of appeal to the Independent Appellate Authority or are subject to scrutiny by the Independent Monitor appointed under the Immigration Appeals Act 1993 to monitor refusals with no right of appeal. The Foreign and Commonwealth Office/Home Office Joint Entry Clearance Unit carries out regular reviews of Entry Clearance Sections overseas.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, in respect of each visa application approved, following initial refusal by the Minister for Europe, *(a)* the name of the hon. Member in whose constituency the applicant's sponsor lived, *(b)* the grounds stated in the notice of refusal on which the application was initially refused, *(c)* if (i) a second and (ii) a subsequent interview was conducted following the Minister of State's intervention, *(d)* the written terms under which the Minister of State instructed the entry clearance post to issue the visa, *(e)* if, after the original refusal, the entry clearance post stated that they continued to believe that the entry clearance should be refused, *(f)* if the applicant (1) overstayed the terms laid down in the leave to remain granted when they first arrive in the UK and (2) subsequently extended their stay and *(g)* if entry clearance posts notified the Migration and Visa Division (A) orally and (B) in writing of their concerns over the Minister's decisions to reverse visa refusals. [156527]

Mr. Vaz *[holding answer 2 April 2001]:* It is not our practice to comment on individual visa cases. I refer the hon. Member to my answer to the hon. Member for Bury St. Edmunds (Mr. Ruffley) on 22 March 2001, *Official Report,* columns 316–17W

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs which hon. Members have made representations to the Minister for Europe regarding visa refusals; and how many of these refusals have been overturned. [156199]

Mr. Vaz *[holding answer 30 March 2001]:* I refer the hon. Member to the answer I gave to the hon. Member for Bury St. Edmunds (Mr. Ruffley) on 22 March 2001, *Official Report,* columns 316–17W.

HEALTH

Departmental Advertising Campaigns

Mr. Ian Bruce: To ask the Secretary of State for Health what major advertising campaigns his Department is carrying out; and what the cost and duration of each is. [154261]

Ms Stuart: Advertising is often the most cost-effective way to communicate information to the maximum number of people as quickly as possible. Each campaign is evaluated for cost efficiency and campaign effectiveness.

The campaigns carried out in the quarter ending March 2001 are shown in the table.

Campaign	*Duration 2001*	*2000–01 (planned spend) £ million*
Childhood immunisation	January-March	0.47
National Drugs Helpline	January-February	0.48
National Health Service careers including nurse recruitment	February-March	4.00
NHS Direct—television advertising	March	0.50
Organ donation	January-March	0.49
Teenage pregnancy	January-March	1.03
Smoking		
Adult tobacco education	January-March	4.39
Pregnant smokers	January-March	0.28
Winter	January	0.42

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Health how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155239]

Ms Stuart: Two meetings have been cancelled and are yet to be rearranged including one with the hon. Member.

A number of other meetings have been rearranged.

Registered Care Homes

Mr. Hammond: To ask the Secretary of State for Health what criteria he will use to determine the ability of registered care homes, within the meaning of the Care Standards Act 2000, to provide nursing care to residents. [155411]

Mr. Hutton: The Care Standards Act 2000 defines a care home as any home which provides accommodation together with nursing or personal care for any person who is or has been ill (including mental disorder), is disabled or infirm, or who has a past or present dependence on drugs or alcohol.

Care homes providing nursing will be required to meet the "Care Homes for Older People—National Minimum Standards" published on 2 March 2001. Nursing input will be determined using a recognised assessment tool, according to departmental guidance which is currently being prepared. National Health Service registered nurses will calculate the amount of nursing input for which the NHS will pay. In care homes providing nursing, the registered manager will have to be a first level registered nurse and, by 2005, have a relevant management qualification, as well as having at least two years experience in a senior management capacity in managing a relevant care setting within the past five years.

Blood Containers

Mr. Sheerman: To ask the Secretary of State for Health what recent reports he has received regarding the safety of continuing to use PVC bags to contain blood in hospitals. [155775]

Mr. Denham: The Department is aware of six reports in the last two years relevant to the safety of the continued use of PVC blood bags. The reports were written by: The American Council on Science and Health; Greenpeace; the International Agency for Research on Cancer; Health Care Without Harm; the United States National Toxicology Program and the Swedish National Chemicals Inspectorate. They inform the continuing assessment of the safety of PVC blood bags used by the national blood services.

Stroke Patients

Ms Walley: To ask the Secretary of State for Health if he will set standards for the care of stroke patients across health and social care settings; and when he intends to publish the National Service Framework for Older People. [155911]

Mr. Hutton: The Department published the National Service Framework for Older People (NSF) on 27 March 2001. The NSF covers conditions prevalent among older people, including stroke, and it applies to all stroke patients.

The NSF will drive up the quality, and reduce variations in services for older people. The stroke standard sets out the standards of stroke prevention and care which will be put in place and a service model for integrated specialist stroke services which will be in place in all general hospitals which care for people with stroke by April 2004.

North Merseyside Health Action Zone

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will make a statement on the North Merseyside Health Action Zone. [155969]

Mr. Denham: Merseyside Health Action Zone (MHAZ) is one of the leading health action zones in the country—both in tackling inequalities and in relation to the modernisation agenda.

During 2000–01 it invested over £7 million to support the implementation of coronary heart disease, cancer, and mental health national service frameworks. In Sefton it supports 66 schemes including four healthy living initiatives. The Netherton feelgood factory, a collaboration between MHAZ, pathways, single regeneration budget six and Bootle and Litherland primary care group partners, recently secured £900,000 from the new opportunities fund to develop a new building, housing a range of health related services.

Meat Hygiene Inspections

Mr. David Taylor: To ask the Secretary of State for Health what representations he has received about recommendations in the Food Standard Agency's HACCP and food safety in slaughterhouses report concerning the

replacing of independent Government meat inspection with industry inspection; and what response he has made. [154690]

Ms Stuart *[holding answer 28 March 2001]:* I am advised that the Food Standards Agency (FSA) distributed a draft report on Hazard Analysis and Critical Control Points (HACCP) and food safety in slaughterhouses to various stakeholder organisations and individuals attending a workshop arranged by the FSA in November last year. The draft report covered a wide range of issues relating to the European Commission's (EC) desire to introduce a new approach to the management of food safety in red and white meat slaughterhouses. The issues covered in the report included a suggested approach to the implementation of a HACCP based system in slaughterhouses; the need to reflect the fact that current meat inspection procedures do not adequately control microbiological hazards in meat, the responsibilities of operators; official inspection, supervision and enforcement and the need for the control regime to adapt to the new requirements. Comments on the draft report were received from the UNISON representative at the workshop and these have been noted.

The EC has subsequently published a working document (entitled "The Development of Risk-Based Meat Inspection System") which is intended to form the basis of a EC proposal for new legislation on meat inspection. The EC intends to submit such a proposal by September 2001. The FSA will now seek to discuss with stakeholder organisations the approach to be taken when negotiations on that proposal eventually begin.

Mr. David Taylor: To ask the Secretary of State for Health (1) what discussions he has had *(a)* at the Council of Ministers and *(b)* with the European Commission on Commission proposals to replace independent Government meat inspection with industry inspection; and if he will make a statement; [154691]

(2) if he will seek independent advice on the impact of European Commission proposals to replace independent Government meat inspection with industry inspection; [154692]

(3) if he will make it his policy to ensure that European Commission proposals to replace independent Government meat inspection with industry inspection are introduced by means of an EU directive; and if he will make a statement; [154693]

(4) what assessment he has made of the benefits of the European Commission proposals to replace independent Government meat inspection with industry inspection by EU directive; and if he will make a statement; [154694]

(5) if he will list the EU countries which have indicated *(a)* support and *(b)* opposition to EU proposals to replace independent Government meat inspection with industry inspection; [154698]

(6) what discussions he has had with *(a)* EU representatives and *(b)* Food Standards Agency officials on the impact on animal welfare of European Commission proposals to replace independent Government meat inspection with industry inspection; [154695]

(7) if it is Government policy to transfer responsibility for *(a)* animal welfare and *(b)* BSE controls in abattoirs and meat plants to the meat industry; [154696]

(8) what discussions he has had with European Union partners on the issue of replacing independent Government meat inspection with industry inspection; and if he will make a statement. [154697]

Ms Stuart *[holding answer sent 28 March 2001]:* I am advised by the Food Standards Agency (FSA) that the European Commission (EC) has not issued any proposals to replace independent Government meat inspection with industry inspection. Although it has issued a draft regulation on official controls for products of animal origin, as part of a package of proposals to amend and consolidate all existing European Union food hygiene legislation, this largely repeats the current inspection and supervision provisions in meat plants. This draft regulation has yet to be discussed in the European Council working groups in Brussels.

However, in recognition of the fact that current meat inspection procedures do not adequately control microbiological hazards in meat, the EC has prepared a working document entitled "The Development of a Risk-based Meat Inspection System", which the FSA circulated to stakeholders in January. This document, which is the product of discussions held by the EC with independent experts and officials from member states, including officials from the FSA, is intended to form the basis for a EC proposal for new legislation on meat inspection. It follows the general principle that food operators have the primary responsibility for food safety and must guarantee that food safety hazards are under control through the successful application of a Hazard Analysis and Critical Control Points (HACCP) -based system.

The working document proposes that the competent authority should remain present in slaughterhouses for reasons of animal health, animal welfare, public health and consumer confidence. However, it suggests certain elements of ante- and post-mortem inspection could be integrated into the HACCP system. The EC aims to publish the proposal by September 2001 in the form of a draft regulation. This is in line with its policy to achieve uniform implementation across all EU countries. The views of member states will be established during the course of subsequent negotiations at official level.

The FSA, which provides independent advice to the Government and consumers on food safety matters, will represent the United Kingdom at those negotiations. The FSA will consult widely once the EC's proposals have been published, including taking advice from Agriculture Departments who are responsible for animal health and welfare controls in slaughterhouses. The FSA believes there may be food safety benefits from integrating some aspects of meat inspection into HACCP plans, but would not countenance changes to the present system which did not fully protect consumers, or which effectively allowed the meat industry to police itself.

Ambulance Service

Mr. Ben Chapman: To ask the Secretary of State for Health what plans he has treat ambulance operational staff as an emergency service. [155993]

Ms Stuart: The ambulance service must continue to work closely and effectively with the police and fire services. However, the ambulance service's primary role is the provision of effective and responsive pre-hospital emergency care in a modern and integrated health service.

Mr. Oaten: To ask the Secretary of State for Health how many industrial injury claims have been made by Ambulance Service employees in each of the last five years. [156656]

Ms Stuart *[holding answer 2 April 2001]:* I refer the hon. Member to the reply given to his question on 23 February 2001, *Official Report*, column 456W.

Drug Tariff

Mr. Oaten: To ask the Secretary of State for Health if he will set a maximum period of time for the process of types of product new to part IX of the drug tariff. [R] [156657]

Ms Stuart *[holding answer 2 April 2001]:* No. Products of a type which is new to part IX of the Drug tariff can at times raise complex issues which vary significantly from one type of product to another. It would not be possible to set a maximum period of time which took account of these variations.

Meningitis C

Mr. O'Hara: To ask the Secretary of State for Health how many yellow cards have been submitted in the past five years to record adverse reactions to the meningitis C injection. [156476]

Yvette Cooper *[holding answer 2 April 2001]:* Between 1 November 1999 and 28 February 2001, the Medicines Control Agency received a total of 12,880 Yellow Card reports of 26,682 suspected adverse drug reactions to the Meningitis C vaccines. The most commonly reported suspected reactions were soreness and/or redness at the injection site, headache, dizziness, nausea and rash. These reactions are documented in the product information for the three Meningitis C vaccines. By the end of the immunisation campaign, the majority of suspected adverse drug reactions received were non-serious. During this time, 18.5 million doses of vaccine were supplied as part of a national immunisation campaign to vaccinate all children under the age of 18 years. This corresponds to a reporting rate of 1 in 1,436 doses distributed. Yellow Card reports of suspected adverse drug reactions do not necessarily mean that the drug caused the reaction.

Mental Health Act Commission

Mrs. Organ: To ask the Secretary of State for Health when he will publish his Department's response to the Mental Health Act Commission's Eighth Biennial report. [156903]

Mr. Hutton: We have published our response today and copies have been placed in the Library.

Surrey and Sussex Healthcare Trust

Mr. Blunt: To ask the Secretary of State for Health what estimate he has made of the extra costs to be incurred by the Surrey and Sussex Healthcare Trust following his decision to suspend the transfer of services between the East Surrey and Crawley hospitals if that suspension is *(a)* until January 2002 and *(b)* indefinite. [156786]

Ms Stuart: The Surrey and Sussex Healthcare National Health Service Trust has estimated the direct cost arising from the decision to suspend the transfer of services between East Surrey and Crawley Hospitals to be:

(a) The total cost of maintaining services at both sites is approximately £239,000, if the services are maintained until January 2002, and;

(b) approximately £53,000 per month thereafter if services are maintained on both sites.

It is in the best interest of the local population that any further service reconfigurations are suspended until the conclusions of the South East Surrey and North West Sussex Service review are known by the end of 2001. The review aims to produce recommendations on the long term provision of acute, primary and intermediate care services for the area for 2010 onwards. The trust will continue to ensure that patient care is not compromised.

NHS Publications

Miss McIntosh: To ask the Secretary of State for Health what the cost was of publishing, printing and distributing, 'The NHS Plan-an action guide for nurses, midwives and health visitors'. [156743]

Mr. Denham: The total cost of publishing, printing and distributing the National Health Service plan action guide for nurses, midwives and health visitors was £147,000.

NHS Nurses

Mr. Stunell: To ask the Secretary of State for Health how many full time, graduate nurses have *(a)* completed training and taken up a post within the NHS, *(b)* retired from the NHS and *(c)* resigned from the NHS in each of the last six years for which records are available; and if he will make a statement. [156810]

Mr. Denham: The information requested is not collected centrally.

Mr. Stunell: To ask the Secretary of State for Health what the vacancy level is for the full-time graduate nurses within the NHS; and if he will make a statement. [156808]

Mr. Denham: This information is not collected centrally. The vacancy rates for all qualified nurses is shown in the table.

Department of health vacancies survey—qualified nursing and midwifery staff—3 month vacancy rates

Total qualified nurses—2000	*Percentage*
England	3.8

Notes:

1. Posts that had been vacant for three months or more at 31 March 2000

2. Percentages are rounded to one decimal place

Source:

Department of Health Vacancies Survey 2000

Mr. Stunell: To ask the Secretary of State for Health what measures he plans to provide incentives to full-time graduate nurses to work within the NHS; and if he will make a statement. [156809]

Mr. Denham: The Department is improving recruitment and retention for all National Health Service staff by introducing fair pay, by encouraging the NHS to become a better employer, and by increasing the workforce.

In addition, NHS funded students studying at degree level receive a favourable level of means-tested bursary. Additional allowances are available for older students, single parents and for those who have adult/child dependants. The NHS also pays the tuition fees and offers non-means-tested student loans, access funds, hardship loans and NHS hardship grants.

Bursary rates will increase by 10.4 per cent. with effect from 1 September this year. This is the biggest increase since the introduction of the bursary.

NHS Real Estate

Mr. Woodward: To ask the Secretary of State for Health if he will give those occasions on which NHS real estate has been sold for less than the assessed value made by the NHS district valuer in the last year. [156682]

Mr. Denham: There has been only one occasion during the last year when surplus National Health Service property has been sold for less than the district valuer's valuation. This was the Devonshire Royal Hospital in Buxton that was sold to the University of Derby.

This information is not available in respect of any sale by NHS trusts.

HOME DEPARTMENT

Drug-related Deaths (Peterborough)

Mrs. Brinton: To ask the Secretary of State for the Home Department what evaluation he has made of the research cited in the Home Office publication, 'Reducing Drug-Related Deaths', concerning the number of drug-related deaths in Peterborough; and if he will make a statement. [156789]

Mr. Charles Clarke: The Government are determined to reduce the number of drug-related deaths in this country, and have studied the report from the Advisory Council on the Misuse of Drugs carefully. The Government's response to this report, which was published on 30 March 2001, sets out the significant steps we have taken to tackle the problem. As part of the anti-drugs strategy, the Government will produce an action plan to reduce drug misuse-related deaths by 20 per cent. by 2004. The action plan should be published in the summer.

Thames Valley Police Force

Mr. Woodward: To ask the Secretary of State for the Home Department what estimate he has made of the number of officers in the Thames Valley police force in *(a)* 2002 and *(b)* 2003. [156680]

Mr. Charles Clarke: Thames Valley police advise me that they hope that force strength will reach the following numbers (excluding officers on secondment):

Year	*Number of officers*
31 March 2002	3,771
31 March 2003	3,951

In each case these are full-time equivalent numbers.

Strength may vary from these estimates, depending upon: the success of Thames Valley Police in attracting recruits; any changes to expected wastage from the force; and any changes in the number of officers working part-time.

Immigration and Nationality Directorate

Mr. Lidington: To ask the Secretary of State for the Home Department what organisational and accommodation changes have taken place in the Immigration and Nationality Directorate since 1 April 2000; what further changes are planned for the financial year 2000–01; and if he will make a statement. [156088]

Mrs. Roche: Since April 2000, the Immigration and Nationality Directorate's (IND) staff has increased by 3,079 full-time equivalents to 9,096 at the end of March 2001. We have taken on leases for space in 15 extra office buildings to accommodate these staff, who are delivering improved service on immigration and nationality casework, asylum support and immigration control. Over the coming financial year we expect staffing to increase to about 10,000 full-time equivalents and will take on space in another 12 office buildings. There will also be a phased return to the newly refurbished Lunar House in Croydon. Changes in organisational structures are made as required to support delivery of services: most significant in the last year has been to combine the Integrated Casework Directorate, Immigration Service and National Asylum Support Service into the Operations Directorate.

Mr. Lidington: To ask the Secretary of State for the Home Department what new computer systems *(a)* have been and *(b)* are planned to be installed in the Immigration and Nationality Directorate in (i) the current financial year and (ii) the financial year 2001–02. [156084]

Mrs. Roche: The main focus in 2000–01 has been the continuing evolutionary development and roll-out of the Immigration and Nationality Directorate's (IND) two main infrastructure systems POISE and TBC. POISE was supported by Sema until February 2001 and is now supported by Sirius, as the main Home Office Information Technology supplier. TBC is supported by Siemens Business Services.

In addition the following four major new systems were implemented:

IAF Project (Automated Fingerprint System)—This system allows fingerprints to be automatically matched against IND's collection of 350,000 fingerprint records.

ACID Warehouse—This is a data warehouse developed by Siemens and used to collate case information held on a large number of existing IND systems.

ASYS—A computer system on POISE supporting the operation of the National Asylum Support Service (NASS) Directorate.

Interpreters Database—Information about interpreters used throughout IND is now available on both POISE and TBC.

Redevelopment of the Warnings Index also continued, with new hardware and software rolled out early in 2001. Further changes will be completed in 2001–02.

In 2001–02 evolutionary development of the POISE and TBC systems will continue, with particular emphasise on the sharing of information across the two systems.

There will be enhancements to ASYS and wider roll-out of ACID Warehouse. Siemens will make a number of other low-risk improvements to the TBC system.

A review of the use of Information Technology within the Immigration Service is also currently taking place. Work is already in hand on a management information system for Detention Centres (DELMIS).

Attachment of Earnings Orders

Mr. Cox: To ask the Secretary of State for the Home Department how many attachment of earnings orders have been issued by each magistrates' court covering the Greater London area during the last 12 months. [156192]

Mr. Charles Clarke: Information on the number of attachment of earnings orders is not available centrally and can be collected only at disproportionate cost.

Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women prisoners have died in prison in England and Wales during the last 12 months. [156188]

Mr. Boateng: 128 males and nine females have died in prison custody in England and Wales during the last 12 months (up to and including 31 March 2001).

	Male	*Female*	*Total*
Self-inflicted	69	7	76
Natural causes	57	2	59
Homicide	2	0	2

Mr. Cox: To ask the Secretary of State for the Home Department (1) how many women were sent to prison by courts in England and Wales during the last 12 months; [156189]

(2) how many women were sentenced to imprisonment by courts in England and Wales during the last 12 months for shoplifting; [156193]

(3) how many women have been sentenced to imprisonment by courts in England and Wales during the last 12 months for trading in illegal drugs. [156191]

Mr. Charles Clarke: The available information, taken from the Home Office's Court Proceedings Database, relates to 1999 and is contained in the table. (Information for 2000 is not yet available.)

Females sentenced to immediate custody[1] in England and Wales, 1999

	Number
All offences	7,504
of which:	
Dealing in illegal drugs	609
Shoplifting	2,065

[1] Unsuspended imprisonment, detention in a young offender institution, secure training orders and detention under section 53 of the Children and Young Persons Act 1933.

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the mother and baby units in women's prisons in England and Wales, indicating the number of places in each prison. [156194]

Mr. Boateng: At present there are four Mother and Baby Units (MBU) in England and Wales; namely Holloway, Styal, New Hall and Askham Grange. Holloway and New Hall take babies up to the age of nine months. Styal and Askham Grange take babies up to 18 months but babies will leave the units at an earlier age if it is in the child's best interest.

The table gives a brief description of the prisons, age limits of babies and the number of places available:

	Status	*Security category*	*Places*	*Age limit (months)*
Askham Grange, near York	[1]—	Open	20	18
Holloway, London	[2]—	Closed	13	9
New Hall, near Wakefield	[2]—	Closed	9	9
Styal, Cheshire	[2]—	Open	22	18

[1] Sentenced
[2] Remanded and sentenced

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many prisoners use wheelchairs. [156249]

Mr. Boateng: This information is not collected centrally.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if all prisons can accommodate prisoners in wheelchairs. [156251]

Mr. Boateng: No. All new prisons are built to specifications which allow wheelchair access. Many existing prisons are able to accommodate prisoners in wheelchairs, or are capable of being so adapted. The Prison Service is ensuring that there is a sufficient

geographical spread of prisons which conform fully to the requirements of the Disability Discrimination Act 1995, including wheelchair access. But there are a small number of prisons which can never be adapted for wheelchair access.

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Secretary of State for the Home Department if he will set out, with statistical information relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156246]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out are examples relating to the Great Grimsby constituency or the immediate locality:

Reducing Burglary Initiative (RBI)

Humberside police in partnership with North East Lincolnshire council were awarded approximately £545,000 for a scheme in Grimsby. Main interventions proposed include: reduction of repeat victimisation; target hardening; property marking; cooling hotspots; disruption of main offender access routes and a co-ordinated police, probation and Young Offending Team (YOT) partnership to work on prolific young offenders. DNA analysis and crime scene matching will also be used to increase detection potential of offences and quality life improvement measures.

Youth Offending

Great Grimsby is covered by North East Lincolnshire YOT, which also covers Cleethorpes and Immingham. The YOT is a multi-agency team working closely together with a variety of partners. One project, established with Government funding from the Reducing Burglary initiative, is known as the Burglary Understanding and Reduction Partnership. Part of this is the Targeted Offender Programme involving staff members from police, probation and the YOT. They are based at the police station and target their work on known burglars, combining and exchanging intelligence, surveillance and intensive interventions.

In 2000, a Summer Splash project was run, funded largely through concentrating Government money and focusing on the children and young people living in the highest crime areas of North East Lincolnshire. Around 500 children made use of the various activities in the project and the police reported a reduction in juvenile crime and anti-social behaviour in the area over that period. 2001 will see not only a repeat of this work but an expansion so that these opportunities and benefits can be enjoyed for more than just the school holiday periods. This Youth Activities Project will be mainly SRB (Social Regeneration Budget) funded and is expected to work with 1,600 children and young people during the coming year. In the year 2000–01 the rate of re-offending on bail was 10 per cent. lower than in the previous year.

More generally, all of the policies of the Home Office will impact on the residents of Great Grimsby to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Departmental Policies (Luton, South)

Ms Moran: To ask the Secretary of State for the Home Department if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of the Lord Chancellor's Department's policies and actions since 2 May 1997. [156166]

Mr. Charles Clarke: I assume my hon. Friend is referring to the affects of Home Office policies and actions on the Luton, South constituency.

The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out are examples relating to the Luton, South constituency or the immediate locality:

Reducing Burglary Initiative (RBI)

Under round 1 of the RBI, the area of Dallow, Luton was awarded approximately £70,000. This was used for target hardening of repeat victimisation premises, including Homesafe burglary initiative i.e. installing

gates, locks and lights. Identified streets were gated to create a 'ring of steel' to bolster the protection for the whole street.

Under round 2 of the initiative the areas of Biscot, High Town, Lewsey and South Wards were awarded £73,000 for a project with Bedfordshire police working in partnership with Luton borough council. The main interventions proposed for the project include target hardening and environmental improvement of a group of geographical hotspot areas.

Closed Circuit Television (CCTV)

Luton borough council were awarded approximately £249,000 for two schemes submitted under round 1 of the CCTV initiative. Bury park/Dunstable road was awarded £180,000, providing cameras for one of the town's main roads. The area consists of shops, secondary housing, a community centre, a church and mosque and the Luton Town football stadium. The bid aims to reduce overall crime in the area by 50 per cent. over three years, particularly targeting violence against the person, vehicle crime and theft.

Luton station car park was awarded £68,000 for an eight-camera scheme to extend coverage of the car park, which currently has three cameras. The scheme aims to reduce overall vehicle crime, assaults and criminal damage by 50 per cent. over three years.

Youth Offending

Luton, South is covered by Luton Youth Offending Team (YOT). Luton YOT is a multi-agency team consisting of staff from Luton borough council working in partnership with Bedfordshire health authority, Bedfordshire police authority and Bedfordshire Probation Service. The YOT is closely involved with the Youth Court Action Group which also includes representatives from the police, courts, Crown Prosecution Service across Luton and Bedfordshire. The group has been established in order to deliver the Government's pledge to halve the arrest time from arrest to sentence for persistent young offenders from 142 to 71 days. The group meets regularly to review progress and refine procedures in order to achieve this target. The most recent local figure for Luton and Bedfordshire is 68 days.

The establishment of fortnightly 'case discussions' meetings involving all staff from the YOT has ensured that consideration is given to the skills and resources that might be available from all partner agencies in drawing up every Supervision Plan. In addition, a Service Level Agreement with Victim Support has ensured that all victims of crimes committed by children and young people, where the YOT might be involved, are contacted in order that consideration might be given to reparation being made available. There is a crime diversion scheme in place with Her Majesty's Prison Coldingley and Her Majesty's Prison Bullwood Hall where young people experience the reality of life of crime from drama and testimonies of serving prisoners.

The Youth Justice Service continues to develop in partnership with Luton borough's Community Safety Strategy, with the Crime and Disorder Executive operating as the YOT Strategic Management Group. This ensures that all agencies are committed to the joint approach and this has been further enhanced recently with the addition of the local Drug Action Team. The service was successful last year in gaining funding from the Youth Justice Board to develop a Youth Inclusion Programme which is managed on behalf of the partnership by the Safer Luton Partnership, a branch of Crime Concern. The programme targets young people at risk to ensure they are included in mainstream activities by offering support to help them overcome a variety of social problems. A summer activities group runs weekly during each school summer holiday targeted at young people at risk. Structured group work sessions take place in the mornings followed up by supervised activities in the afternoons. Recent discussions across all agencies about the issues associated with nuisance youths has led to the creation of the Youth Intervention Group which meets on a monthly basis to share information on those young people coming to the attention of the police for 'sub criminal' behaviour.

The introduction of Final Warnings in June 2000 built naturally on the success of the Youth Diversion Scheme. Assessments are carried out on all cases where the police decide a Final Warning is appropriate. The police officer seconded to the YOT is responsible for administering the warning, together with a member of the YOT when an intervention programme is to be offered. The YOT work in partnership with Spurgeons Childcare to develop groupwork programmes with parents on a statutory and voluntary basis. Comprehensive assessments continue to be carried out on the suitability of Parenting Orders whenever a young person is sentenced with the information detailed within the Pre-Sentence Report. Similar assessments are carried out when parents are prosecuted for failing to ensure their children receive education, and whenever an Anti-Social Behavioural Order is applied on a child or a young person. The successful application for funding under the Government's 'On track' initiative includes a joint post with Social Services to develop support for parents from Asian communities which will enable the YOT to introduce more culturally sensitive parenting programmes.

More generally, all of the policies of the Home Office will impact on the residents of Luton South to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Departmental Policies (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for the Home Department if he will set out, including statistical information relating as directly as possible to the Hazel Grove constituency, the effects on Hazel Grove of his Department's policies and actions since 2 May 1997. [156184]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across

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the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. 'Recorded Crime England and Wales, 12 months to September 2000' and 'Police Service Strength England and Wales, 30 September 2000' can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out are examples relating to the Hazel Grove constituency or the immediate locality:

Closed Circuit Television (CCTV)

Stockport Metropolitan borough council was awarded approximately £108,000 for a four-camera scheme, providing coverage for Marple Town Centre. The scheme aims to reduce vehicle crime by 30 per cent. assaults by 30 per cent. robbery by 30 per cent. and criminal damage by 40 per cent. over three years.

Youth Offending

Hazel Grove is covered by the Stockport Youth Offending Team (YOT). The Stockport YOT provides a working example of partnership practice, drawing together skilled professionals into a multi-disciplinary partnership between police, social services, probation, health and education authorities. The team acts as the central hub of the local criminal justice systems specific to youth offending. Subsequently the team draws into action many agencies, voluntary sector groups and private organisations specific to the central aims of the Youth Justice System. Specific examples include: the development of computerised Youth Offending Information Systems (YOIS), contracted out to a private software company; NCH (National Children's Home) provides bails support service for the 10 local YOTs across Manchester and the development of diversion schemes specific to sports development is managed in partnership with local voluntary organisations (including Sports Stockport and Moving Up Through Sport).

Together with development funding provided through the Youth Justice Board, financial resources are obtained through agreement with each of the partner agencies. Networks extend through voluntary sector organisations and local government agencies to public sector companies. Considerable time has been extended to developing community based networks through the work of the teams' four youth crime reduction officers.

In accordance with National Standards for Youth Justice (April 2000) assessments are carried out on all young offenders who come to the attention of the team. A consistent approach to assessment is achieved through using the ASSET assessment tool, which is a national standardised tool, enabling the specific problems of the individual offender and the risks they pose to others to be assessed. Programmes are tailored to the individual needs, aimed at impacting upon each of the factors operating in an individual's life which contribute to the likelihood of further offending. Assessments are peer reviewed within a professional's forum, providing for further consistency of approach and quality assurance.

If the primary aim of the Stockport YOT is to be achieved, consultation with the local community, agencies and partners is key. However, consultation by itself is inadequate if concerns are not addressed. To that end, throughout its working practices Stockport YOT relies on community participation. Integral to the community served by the team are the concerns of victims and offenders. The team seeks to work in co-operation with offenders, utilising court ordered interventions and the secure estate where necessary. A cornerstone to the team's ongoing commitment to the community is provided through work with victims of youth offending. The victims of all offences are contacted, with reparation activities aimed at meeting the needs of victims of crime.

More generally, all of the policies of the Home Office will impact on the residents of Hazel Grove to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Passports

Dr. Tonge: To ask the Secretary of State for the Home Department how many passports have been lost in the post and reissued as a result in the last 12 months. [155999]

Mrs. Roche *[holding answer 29 March 2001]:* The United Kingdom Passport Agency's records indicate that in the calendar year January to December 2000 3,851 passports, out of a total of 5,488,116, were reported as having been lost in the post.

Community Penalties

Mr. Lepper: To ask the Secretary of State for the Home Department if he will make a statement on progress made by his Department in considering the report evaluating the Norfolk and Greater Manchester pilot schemes for community penalties for fine defaulters and persistent petty offending published on 29 February 2000; and when he will make an announcement on bringing these measures into effect throughout England and Wales. [156483]

Mr. Charles Clarke: The Government are still considering their response to the report on these new sentencing options, which have resource implications. A decision will be made in due course whether to bring these measures into effect throughout England and Wales.

Foot and Mouth

Mr. Sawford: To ask the Secretary of State for the Home Department what powers are available to restrict the movements of travellers during an outbreak of foot and mouth disease; and if he will review these powers. [156713]

Mr. Charles Clarke: Both the police and local authorities have powers to direct trespassers to leave land when certain statutory conditions are met. There are no specific powers to restrict travellers from moving around during the current outbreak of foot and mouth disease, but there are laws to prevent any person from moving into a designated foot and mouth disease area. Enforcement of the law is a matter for the relevant chief officer of police.

CULTURE, MEDIA AND SPORT

Arts and Tourism

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport (1) what the *(a)* budgeted running costs and *(b)* staff numbers were in 2000–01 for each (i) regional Arts Board and (ii) Regional Tourist Board; [156231]

(2) what the budgeted expenditure in 2000–01 was for each *(a)* regional arts board and *(b)* regional tourist board. [156229]

Mr. Chris Smith: Information on the budgeted running costs, staff numbers, and budgeted expenditure for 2000–01 for Regional Tourist Boards and Regional Arts Boards are set out in the respective tables.

Regional Tourist Board	*Total expenditure including running costs (£)*	*Running costs including salaries (£)*	*Staff*
Cumbria	1,311,483	592,270	[1]30
East of England	2,094,128	814,000	41
Heart of England	2,648,272	1,559,795	48
London	5,272,157	1,828,063	37
Northumbria	2,383,209	704,731	[2]32
North West	3,816,856	1,531,305	49
Southern	4,600,000	1,700,000	60
South East	1,632,027	878,098	[3]37
South West	2,600,000	1,174,000	[4]43
Yorkshire	3,800,000	490,000	41

[1] 8 part-time
[2] 4 part-time
[3] 9 part-time
[4] 18 part-time

Regional Arts Board	*Total expenditure (£)*	*Total administration and overheads (£)*	*Staff (full time equivalents)*
East England Arts	9,690,169	2,028,838	35.5
East Midland Arts	9,598,019	1,534,075	42
London Arts	31,498,337	3,214,962	69
Northern Arts	12,623,240	1,407,115	37
North West Arts	18,643,253	2,071,889	53
Southern Arts	11,278,692	1,565,038	39
South East Arts	7,210,107	1,642,913	42
South West Arts	9,266,951	1,426,484	37
West Midlands Arts	13,766,026	1,637,777	45
Yorkshire Arts	12,775,475	1,665,275	45

Notes:
1. The figure for total administration and overheads includes staffing, premises, travel and subsistence, legal and company costs. It excludes everything which may be considered to be direct arts spend.
2. Figures are taken from RAB business plans.

TREASURY

Office for National Statistics

Mr. Swinney: To ask the Chancellor of the Exchequer how many *(a)* full-time staff, *(b)* part-time staff, *(c)* personal computers, *(d)* servers, *(e)* printers, *(f)* fax machines and *(g)* vehicles are based at the Office for National Statistics facilities in (i) Scotland and (ii) the UK (A) for the year 1999–2000 and (B) forecast for 2000–01. [155084]

Miss Melanie Johnson *[holding answer 23 March 2001]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. John Swinney, dated 3 April 2001:

As National Statistician, I have been asked to reply to your recent question about staff and resources in this Office (155084).

The Office for National Statistics (ONS) employed 2,917 full time staff and 532 part-time staff in 1999/2000, and 3,161 full time staff and 578 part-time staff in 2000/01. All of these employees are based in England and Wales. The Office also employs an interviewing field force of 1,287, on an hourly fee paid basis, of which 73 are based in Scotland.

The ONS' use of personal computers, servers, printers, fax machines and vehicles in these same periods is shown in the table below.

	1999–2000	*2000–01*
Personal Computers:	—	—
Desktop PCs	—	4062
Laptops (UK)	—	[1]1699
Laptops (Scotland)	—	[1]110
Servers	—	208
Printers	—	830
Fax Machines	—	200
Vehicles	12	14

[1] Includes interview field force

Records of Personal Computers, Servers, Printers and Fax machines are not kept year by year, but the current position is shown.

There are more computers than people because some are pool laptops and some desktop machines are used to run specific applications. There are also some machines awaiting disposal.

Census

Fiona Mactaggart: To ask the Chancellor of the Exchequer what research he has undertaken on the likelihood of *(a)* those with insecure immigration status and *(b)* those in breach of immigration control of complying with the requirements of the Census. [156225]

Miss Melanie Johnson The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Fiona Mactaggart, dated 3 April 2001:

The National Statistician has been asked to reply to your recent question asking what research has been undertaken on the likelihood of those with insecure immigration status and those in breach of immigration control complying with the requirements of the Census. I am replying in his absence (156225).

We have not conducted specific research into this issue. Our approach to ensure returns of census information in respect of such individuals who meet the residence criteria has been twofold. First,

we have put in place special arrangements to enumerate those resident in communal establishments, including hotels, hostels, camps and immigration detention centres.

Second, we have sought advice and information from local authorities with regards to the numbers and general location of such individuals living in the community. Through our community liaison programme we have sought to promote both the importance and confidentiality of the Census process. The fruits of each of these initiatives have been built into the guidance and procedures for enumerators in order to ensure compliance with Census requirements.

Fiona Mactaggart: To ask the Chancellor of the Exchequer what action he has taken to encourage compliance with the Census by people from ethnic minorities. [156226]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Fiona Mactaggart, dated 3 April 2001:

The National Statistician has been asked to reply to your recent question asking what action has been undertaken to encourage compliance with the Census by people from ethnic minorities. I am replying in his absence (156226).

The overall publicity campaign for the 2001 Census will establish the awareness of the Census across the population as a whole, and the banner logo 'Count Me In' aims to encourage universal self-inclusion in the Census. However, the full range of ethnic newspapers will be used to advertise the Census to ethnic minorities and publicity material has been placed in a wide range of community-based publications and centres of activity.

Customised press notices associated with all the main PR events will be disseminated to all ethnic minority media outlets. For our Recruitment Blitz the press notice directed at ethnic minority media carried a supporting quote from Civil Service Commissioner Karamjit Singh CBE, and we specifically targeted metropolitan areas at 14 sites around the country where there would be good links with local TV and radio as well as a high concentration of ethnic minority populations. Our partnership with BBC Local Radio extends to the BBC's Asian Language Network, which has already run a number of Census promotions.

The Census questions and the information leaflet have been translated into 24 commonly used foreign languages and will be available from April 1, as will the dedicated Language Helpline which can offer help in 12 languages. In addition, an ethnic version of the promotional video has been produced using an Asian celebrity, which we hope to place on Asian cable TV.

A new initiative for the 2001 Census is the Community Liaison Programme in which the ONS is working in partnership with minority groups, including ethnic communities in order to encourage participation in the Census and to help identify sources of field staff. A significant number of local community members are playing an active part in the census operation as members of the field staff and also by supplying local intelligence that will benefit the Census. The wide range of links established with local communities has helped with the recruitment of the local field force where our aim has been to reflect the make-up of these communities. As well as appointing Enumerators who speak other languages and who understand the needs of local communities, interpreters will be used where necessary.

Foot and Mouth

Mr. Paterson: To ask the Chancellor of the Exchequer if VAT default surcharges will be imposed on VAT liabilities subject to time to pay arrangements introduced in response to the foot and mouth outbreak. [156813]

Dawn Primarolo: Customs and Excise will deal sympathetically with all businesses who are seriously affected by the foot and mouth outbreak. Where this results in a time to pay arrangement to discharge outstanding VAT liabilities, default surcharges will not be imposed during the term of the agreement.

Tax Credit Fraud

Mr. Field: To ask the Chancellor of the Exchequer when the Inland Revenue will complete its benchmarking of the level of fraud within Working Families Tax Credit and Disabled Person's Tax Credit; and if he will place a copy of the results in the Library. [156788]

Dawn Primarolo: The benchmarking exercise currently under way to determine the level of fraud within Working Families Tax Credit and Disabled Person's Tax Credit is expected to be completed by early next year.

Mr. Field: To ask the Chancellor of the Exchequer how many *(a)* investigations of fraudulent claims, *(b)* prosecutions of fraudulent claimants and *(c)* penalties for fraudulent claimants have been made in respect of the Working Families Tax Credit. [156787]

Dawn Primarolo: Up to the end of February 2001, approximately 29,250 inquiries have been opened in respect of Working Families Tax Credit applications, and approximately 250 penalties have been levied. Up to the end of March 2001, there have been 15 prosecutions in respect of Working Families Tax Credit.

IR 35

Mr. Stunell: To ask the Chancellor of the Exchequer what estimate he has made of the first year's revenue from IR 35. [156861]

Dawn Primarolo: I refer the hon. Member to Table A2.1 of the 2000 "Financial Statement and Budget Report".

Partnerships UK

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will make a further statement on the sale of equity in Partnerships UK. [156966]

Mr. Andrew Smith: The offer for sale of 51 per cent. of the equity in Partnerships UK closed on 27 March 2001 and was oversubscribed. The successful institutions have been informed of their individual allocations and I will be making a further announcement shortly.

Logos and Branding

Mr. Tyrie: To ask the Chancellor of the Exchequer how much has been spent by his Department on departmental and agency logos and associated branding since 1 May 1997. [152650]

Dawn Primarolo: Since May 1997, £2,000 has been spent on external graphic design work relating to the Treasury corporate crest logo. Most issues concerning the corporate logo are dealt with in-house by the Treasury's publishing unit and the costs are minimal.

Local Government Finance

Mr. Chope: To ask the Chancellor of the Exchequer if he will list by Valuation Office area the number of proposals to alter the 2000 rating list which have yet to be determined and the last date on which the programme is targeted for completion. [155035]

Dawn Primarolo: The following schedule depicts by Valuation Office areas, appeals made in respect of the 2000 Rating Lists and outstanding at 28 February 2001.

Appeals made by 30 September 2000 are programmed to be dealt with by 31 March 2003. Some appeals made since 1 October 2000 to date are also programmed into this period and the remainder are planned to be dealt with in 2003–04.

Valuation Office areas	
Birmingham	22,810
Bristol	18,788
East Anglia	25,232
East Midlands	35,850
Leeds	31,538
Liverpool	11,985
London City	19,195
London North	31,923
London South	23,412
London Westminster	24,230
Manchester	36,622
Newcastle	24,389
North Wales	7,232
North West	21,335
Reading	34,352
Sheffield	26,026
South East	30,163
South Wales	17,496
South West	16,679
St. Albans	25,777
Stoke	23,552
Wessex	28,161
Wolverhampton	12,894
Totals	549,641
Specialist Units	40,798
Grand Total	590,439

National Insurance

Mr. Willetts: To ask the Chancellor of the Exchequer how many national insurance accounts had no annual contribution or credit in each year since 1992. [152430]

Dawn Primarolo: I refer the hon. Member to the answer given to him by the Minister of State, Department of Social Security, 2 April 2001, *Official Report*, columns 91–92W.

SOCIAL SECURITY

Coalmining Communities

Caroline Flint: To ask the Secretary of State for Social Security what specific support his Department has provided to coalmining communities since 1997 by *(a)* region and *(b)* social security district. [154306]

Mr. Rooker: Social Security benefits operate on a national basis and people in coalmining communities will have benefited from our policies in the same way as other groups.

The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

We now have the lowest unemployment rate in 25 years. The New Deals are helping lone parents, the young unemployed, the long-term unemployed, the over-50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; and the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally.

We have recently published the Green Paper "Towards Full Employment in a Modern Society", which sets out how we will build on our achievements and deliver employment opportunities for all.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest bill. This winter, the payment is £200 for households who qualify. Around 11 million older people nationally have received a Winter Fuel Payment for this winter.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Over 10 million pensioners nationally will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over-75s of whom we estimate there are over 4 million nationally. Around 1.7 million pensioner families nationally are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Housing Benefit

Miss McIntosh: To ask the Secretary of State for Social Security what recent representations he has

received on the length of time taken to process applications for Housing Benefit; and if he will make a statement. [155112]

Angela Eagle: We have received a number of representations from hon. Members and other interested parties on the length of time taken by some local authorities to process Housing Benefit claims.

Although Housing Benefit administration is the statutory responsibility of local authorities, we are determined to help under-performing authorities to improve standards and build on best practice. Our strategy for reforming Housing Benefit was set out in "Quality and Choice: A decent home for all—The way forward for housing" published in December 2000. Our priority is to work with local authorities to improve administration, drive out fraud and error and promote work incentives.

Raising standards of administration is the biggest challenge facing Housing Benefit today. That is why we have set up the Expert Help Team, bringing together advice and support from experienced local authority managers, the Department's staff and external consultants.

The first local authorities have signed up for this additional help. Hull, Bristol, East Ayrshire and Lambeth are working with the team, and more councils will follow.

SERPS

Mr. Davidson: To ask the Secretary of State for Social Security what assessment he has made of the impact of changes to the regulations governing inherited SERPS. [156572]

Mr. Rooker: The Social Security (Inherited SERPS) Regulations 2001 were made on 20 March 2001 and come into force on 6 October 2002.

The effect of these Regulations will be to provide protection for the spouses of people who reach State pension age between 6 October 2002 and 5 October 2010, in recognition of the fact that the amount someone needs to save to make up for the reduction to 50 per cent. inheritance increases the closer they are to pension age. The amount of SERPS that the surviving spouse can inherit will be reduced from a maximum of 100 per cent. to a maximum of 50 per cent., but on a sliding scale.

This is in addition to the protection for the spouses of existing pensioners or of people due to reach State pension age by 5 October 2002.

The overall effect of the changes will be to prevent the cliff edge effect of the original proposals.

Pensions

Mr. Davidson: To ask the Secretary of State for Social Security what changes have been made since 1997 to help pensioners with small occupational pensions. [156645]

Mr. Rooker: Pensioners with small occupational pensions will have gained from some or all of the extra increases in basic State pension, tax allowances and Minimum Income Guarantee, together with Winter Fuel Payments and free TV licences.

As a result of tax and benefit measures introduced by this Government, pensioner households will, on average, be over £11 a week, or £580 a year, better off.

Mr. Davidson: To ask the Secretary of State for Social Security what role the Pension Credit will play in encouraging people to save for retirement. [156569]

Mr. Rooker: The Pension Credit will ensure that people of modest means are rewarded for building on basic pension level through SERPS, a private pension or other forms of income and savings.

Mr. Sanders: To ask the Secretary of State for Social Security if he will amend the National Insurance Act 1946 to prevent companies from exercising their powers to take account of a person's basic state pension. [156326]

Mr. Rooker: I refer the hon. Member to my written answer to my hon. Friend for Leeds, Central (Mr. Benn) on 14 March 2001, *Official Report*, column 605W.

Mr. Davidson: To ask the Secretary of State for Social Security what progress is being made with the introduction of the Pension Credit. [156553]

Mr. Rooker: We are considering more than 400 responses to our consultation paper. We will consider our response in due course.

Winter Fuel Payments

Mr. Simon Thomas: To ask the Secretary of State for Social Security what efforts are being made to ensure that pensioners entitled to back-dated payments for winter fuel allowance are *(a)* made aware of their entitlement and *(b)* given guidance on how to claim. [156341]

Mr. Rooker: An information campaign has been running since last April. Its aim is to ensure that existing and potential customers know about changes to the scheme and what, if anything, they need to do to get a payment. It is up to the individual to choose whether to claim payments for past winters. There is no time limit on claiming payments for previous years of the scheme.

Departmental Policies (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Social Security if he will set out, including statistical information relating as directly as possible to the Hazel Grove constituency, the effects on Hazel Grove of his Department's policies and actions since 2 May 1997. [156183]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Hazel Grove since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Hazel Grove 9,744 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over-50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Hazel Grove the number has reduced from 1,000 to 600. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Hazel Grove from 1,000 to 900.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 18,000 older people in Hazel Grove have received a Winter Fuel Payment for this winter.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 16,500 pensioners in Hazel Grove will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over-75s of whom we estimate there are about 6,500 in Hazel Grove. 1,900 pensioner families in Hazel Grove are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Departmental Policies (Luton, South)

Ms Moran: To ask the Secretary of State for Social Security if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of his Department's policies and actions since 2 May 1997. [156160]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Luton, South since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Luton, South 12,540 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Luton, South the number has reduced from 3,100 to 1,900. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Luton, South from 1,800 to 1,700.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 or households who qualify. Around 13,900 older people in Luton, South have received a Winter Fuel Payment for this winter.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 13,000 pensioners in Luton, South will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 4,600 in Luton, South. 2,900 pensioner families in Luton, South are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Secretary of State for Social Security if he will set out, with statistical information

relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156247]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Great Grimsby since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Great Grimsby 12,007 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over-50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced form 1,562,400 to 960,600; in Great Grimsby the number has reduced from 4,300 to 3,300. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Great Grimsby from 2,300 to 2,200.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 16,400 older people in Great Grimsby have received a Winter Fuel Payment for this winter.

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 15,700 pensioners in Great Grimsby will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over-75s of whom we estimate there are about 6,600 in Great Grimsby. 3,600 pensioner families in Great Grimsby are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Social Security how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155243]

Mr. Rooker: Our records do not show any meetings with hon. Members have been cancelled.

National Insurance

Mr. Field: To ask the Secretary of State for Social Security if he will list in respect of each major benefit *(a)* the number of national insurance claimants and *(b)* the average size benefit payment made for the latest period for which figures are available. [156095]

Mr. Rooker *[holding answer 29 March 2001]:* The information is in the table.

Social Security Benefit	*Number of claimants*	*Average weekly amount (£)*
Jobseeker's allowance (contribution based)[1,2,3,4]	153,700	49.70
Retirement Pension[1,2,5,6,7]	11,043,000	67.40
Widow's Benefit[1,2,5,6,7]	256,500	54.81
Incapacity Benefit[1,8,9]	1,509,700	81.73

[1] Figures have been rounded to the nearest hundred, amounts to the nearest penny

[2] Based on 5 per cent. sample therefore subject to sampling error.

[3] Includes claimants who are entitled to contribution based Jobseeker's Allowance and are also in receipt of income-based Jobseeker's Allowance.

[4] Source: Jobseeker's Allowance Quarterly Enquiry, November 2000.

[5] Figures include the Channel Islands and overseas.

[6] Average weekly amounts are based on entitlement recorded on PSCS at the date of extraction.

[7] Source: Pension Strategy Computer System at 30 September 2000.

[8] Excludes a small number of cases held clerically.

[9] Source: 5 per cent. sample of the benefit computer system.

Disability Income Guarantee (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Social Security how many people will benefit from the Disability Income Guarantee in Shrewsbury and Atcham; and if he will make a statement. [154650]

Mr. Bayley: It is estimated that in 2001–02 approximately 150 individuals or families will benefit from the Disability Income Guarantee in the Shrewsbury and Atcham constituency.

Notes:

1. The figures are based on data taken from the November 2000 five per cent. scans of the Income Support and the Disability Living Allowance computer systems.

2. Due to the small sample sizes involved these figures are subject to a high degree of sampling error and should be used only as a guide.

Benefits (Deductions)

Mr. Sheerman: To ask the Secretary of State for Social Security under what circumstances deductions from benefit payments are made in cases where a claimant has been awarded compensation from the Criminal Injuries Compensation Board; and if he will list the benefits concerned. [155839]

Mr. Bayley *[holding answer 27 March 2001]:* A person's capital can affect entitlement to the following benefits; Income Support (IS), Jobseeker's Allowance (income based) (JSA(IB)), Housing Benefit (HB) and Council Tax Benefit (CTB).

Whether an injured person's entitlement to one of those benefits will be affected by compensation from the Criminal Injuries Compensation Board will depend on a number of factors including the amount of that compensation, the amount of other capital they have, the benefit concerned and whether they place the award in trust.

If the compensation award is placed in a trust for the person who has been injured, the capital value of that trust is ignored. Income which the person receives from the trust may be taken into account in the same way as other trust income.

In all other cases, normal capital rules will apply.

Miners Compensation

Mr. Llwyd: To ask the Secretary of State for Social Security how many officials are working on clawing back moneys from miners' compensation; and if he will make a statement. [154188]

Mr. Bayley: Sixty-seven officials in the Department's Compensation Recovery Unit are working on miners' compensation recovery. These staff are also employed on other duties.

Mr. Llwyd: To ask the Secretary of State for Social Security how many clawback calculations on miners' compensation have been completed to date; and if he will make a statement. [154062]

Mr. Bayley: The number of assessments made by the Compensation Recovery Unit up to and including 16 March 2001 is 97,858. On only a limited number of these cases has the action required by both the Department of Trade and Industry and the Compensation Recovery Unit been fully completed—the majority of cases are therefore still being dealt with.

Mr. Llwyd: To ask the Secretary of State for Social Security what the average cost is of each clawback sum from invalid miners' compensation reclaimed by his Department; and if he will make a statement. [154189]

Mr. Bayley: The average administration cost per case based on all miners compensation cases completed (including those cases where no recovery is made) is £72.48.

Mr. Llwyd: To ask the Secretary of State for Social Security what average sum has been clawed back by his Department from miners' compensation. [154207]

Mr. Bayley: The average sum per case recovered in all miners compensation cases completed (including those cases where no recovery is made) is £2,069.81 in respect of benefit already paid to the individual.

Any amounts recovered are in respect of payments to miners as a consequence of their illness and are recovered direct from the Department of Trade and Industry, not the miners themselves. Sums are recovered by the Department of Trade and Industry from the miners compensation payments in only a limited number of cases.

Mr. Llwyd: To ask the Secretary of State for Social Security how many cases of clawback from compensation awarded to invalid miners were completed in *(a)* 1998 and *(b)* 2000; and if he will make a statement. [154187]

Mr. Bayley: The following is the information:

Number of cases where the action required by both the Department of Trade and Industry and the Compensation Recovery Unit has been fully completed

Year	*Number of cases*
1998–99	876
2000–01 (to 16 March 2001)	2,928

Any amounts recovered are in respect of payments to miners as a consequence of their illness and are recovered direct from the Department of Trade and Industry, not the miners themselves. Sums are recovered by the Department of Trade and Industry from the miners compensation payments in only a limited number of cases.

HOUSE OF COMMONS

Adjournment Debates

43. **Fiona Mactaggart:** To ask the President of the Council if she will make a statement on the average time the half-hour Adjournment debate on Mondays, Tuesdays and Wednesdays began in each parliamentary Session in this Parliament. [155216]

Mrs. Beckett: In the session 1997–98, the House began the adjournment debate on the days in question at 10.34 pm; in 1998–99 at 10.32 pm; in 1999 to 2000 at 11.09 pm and in the current session at 11.23pm.

Timetabling

47. **Mr. Stephen O'Brien:** To ask the President of the Council if she will make a statement on the effect of the use by the Government of programming for the debating of legislation in the House. [155220]

Mrs. Beckett: As the Modernisation Committee said yesterday, programming has great potential to improve

"the legislative 'term of trade' to the benefit of everyone:

the Government will get greater certainty for its legislative timetable;

the Opposition parties and backbenchers will get greater opportunities to debate and vote on the issues of most concern to them; and

the House will scrutinise legislation better and may well be able to improve it"

The extent to which those benefits are achieved depends on the willingness of all parties to make programming work.

Peerages

48. **Mr. Gordon Prentice:** To ask the President of the Council when the Appointments Commission's nominations for people's peerages will be forwarded to the Prime Minister. [155221]

Mr. Tipping: The House of Lords Appointments Commission will make its recommendations to the Prime Minister on the appointment of non-party political peers as soon as it has completed its assessment process.

Mrs. Ann Winterton: To ask the President of the Council if she will make a statement on progress in the appointment of people's peers. [155213]

Mrs. Beckett: I understand that the House of Lords Appointments Commission, which is responsible for recommendations for non-political peerages, is making good progress with the identification of names to submit to the Prime Minister.

Modernisation Committee

49. **Mr. MacShane:** To ask the President of the Council if she will make a statement on the Government's responses to the recommendations of the Select Committee on Modernisation of the House of Commons since 1997. [155222]

Mrs. Beckett: The overwhelming majority of the recommendations of the Select Committee on Modernisation of the House of Commons has been implemented. Rules relating to the conduct of Members in the Chamber and to access by the press have been modernised and the House is experimenting with a parallel chamber in Westminster Hall, revised sitting hours on Thursdays, programming of legislation and deferred divisions.

Electronic Voting

50. **Helen Jackson:** To ask the President of the Council what plans she has to bring forward proposals to the Select Committee on the Modernisation of the House of Commons on electronic voting in the House. [155223]

Mr. Tipping: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Slough (Fiona Mactaggart) on 19 December 2000, *Official Report*, column 201.

Business Co-ordination Unit

51. **Mr. Ben Chapman:** To ask the President of the Council if she will make a statement on her role in the oversight and direction of the business co-ordination unit. [155224]

Mrs. Beckett: Following its launch in September, I am very pleased to report that the Unit, which is located in my Department, has made excellent progress. In just a short space of time it has improved access to Ministers for the business community, through its co-ordination of invitations received across Whitehall.

The initiative has been extremely well received both by the business community and the agencies that represent business. I am also pleased to say that this initiative is an excellent example of Government working together—the support the Unit has received from Regional Government Offices has been a key factor in its success.

Members' Pay

52. **Mr. Ian Bruce:** To ask the President of the Council what plans she has to introduce new proposals on hon. Members' pay, allowances and information technology equipment. [155225]

Mr. Tipping: As my right hon. Friend the Prime Minister said on 16 March 2001, *Official Report*, column 753W to my hon. Friend the Member for Bridgend (Mr. Griffiths), this will be a matter for decision by Parliament and will be put before the House to decide in due course.

53. **Mr. Nicholas Winterton:** To ask the President of the Council when she intends to respond to the recent review of parliamentary pay and allowances report published by the Review Body on Senior Salaries. [155226]

Mrs. Beckett: As my right hon. Friend the Prime Minister said on 16 March 2000, *Official Report*, column 753W, to my hon. Friend the Member for Bridgend (Mr. Griffiths), this will be a matter for decision by Parliament and will be put before the House to decide in due course.

Works of Art

Mr. Clifton-Brown: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how much has been spent on works of art and antiquities since 1 May 1997; and where the items purchased are on display. [155214]

Mr. Kirkwood: Voted expenditure on acquisitions by the Advisory Committee on Works of Art since May 1997 has been £424,649. Most of the acquisitions are on display in the public rooms, lobbies and corridors of the Palace of Westminster, in Portcullis House and in the House of Commons outbuildings. Some minor items are in Members' offices.

Palace of Westminster (Memorials)

Mrs. Gorman: To ask the Chairman of the Accommodation and Works Committee what plans there are to erect memorials in the Palace of Westminster to commemorate the achievements of former female Members of the House. [156785]

Sir Sydney Chapman: There are always plans to commission, or purchase, works of art commemorating the achievements of serving or former hon. Members—whether male or female. In the last decade the Advisory Committee on Works of Art has commissioned a number of portraits of contemporary and recent parliamentarians for the permanent collection of Works of Art at the House of Commons including a number of women parliamentarians; a bronze portrait roundel by Michael Rizzello of Lady Astor, a bronze bust by Shenda Amery of Baroness Boothroyd and most recently a commission has been let for a statue by Neil Simmons of Baroness

Thatcher. Paintings of Baroness Boothroyd by Jane Bond and of Baroness Thatcher by Henry Mee were also commissioned and hang in 1 Parliament Street.

Parliamentary Pay

Mr. Blunt: To ask the President of the Council when she received the recommendation of the Senior Salaries Review Body into Parliamentary pay and allowances. [156812]

Mrs. Beckett: The Prime Minister commissioned this report. Sir Michael Perry, Chairman of the Senior Salaries Review Body, wrote to the Prime Minister in late February enclosing a copy of the report. The Government published the report on 16 March.

PRIME MINISTER

Carbon Dioxide Emissions

Dr. Tonge: To ask the Prime Minister what discussions he has had with his European counterparts concerning United States policies on carbon dioxide emissions. [156542]

The Prime Minister: The issue was raised at the informal European Council in Stockholm on 23 and 24 March. The Council agreed a declaration which said

"The European Council, recognising climate change as a global threat to future well-being and economic progress, recalls the necessity of efficient international action to reduce emissions. It reaffirms its strong commitment to the Kyoto Protocol as the basis for such action and expresses its deep concern at the fact that this Protocol is being called into question. The European Council urges all its negotiation partners to engage constructively in reaching agreements on modalities for implementing the Kyoto Protocol and to facilitate a successful outcome of the resumed COP-6, which will create the conditions for ratification and entry into force of the Kyoto Protocol by 2002".

SCOTLAND

Manufacturing

4. **Mr. Russell Brown:** To ask the Secretary of State for Scotland when she last met representatives of business and trade unions to discuss manufacturing industry in Scotland; and if she will make a statement. [155172]

Mrs. Liddell: I have regular meetings with representatives of business and trade unions to discuss issues of interest to the manufacturing and other sectors of the Scottish economy. We aim to strengthen the competitive edge of our traditional industries while also looking increasingly to the areas of growth for the future, such as the creative and financial services industries.

Incomes

5. **Mrs. Irene Adams:** To ask the Secretary of State for Scotland if she will make a statement about the change in average incomes among *(a)* men and *(b)* women in Scotland since 1997. [155173]

Mr. Foulkes: From 1997 to 2000, in Scotland, the average gross hourly earnings for men have increased by 12.1 per cent., while average gross hourly earnings for women have increased by 13.6 per cent.

Foot and Mouth

6. **Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland what discussions she has had with the Scottish Executive on the impact of foot and mouth disease on the Scottish economy. [155174]

Mr. Foulkes: My colleagues in the Scottish Executive have kept me fully briefed on developments in Scotland and my right hon. Friend the Secretary of State was able to witness first hand the action being taken to contain and eradicate and to discuss the impact of the disease on the Scottish economy on her visit to Dumfries and Galloway with the Prime Minister last Friday.

11. **Mr. Stephen O'Brien:** To ask the Secretary of State for Scotland what procedures are being used to co-ordinate action to combat the spread of the foot and mouth outbreak straddling the Scottish-English border. [155180]

23. **Mr. Clifton-Brown:** To ask the Secretary of State for Scotland what steps are being taken to co-ordinate a cross-border approach to the foot and mouth outbreak. [155193]

Mr. Foulkes: Great Britain is a single epidemiological zone. The control of animal health diseases is exercised on behalf of the GB Agriculture Departments by a single State Veterinary Service under the management of the Chief Veterinary Officer.

Mr. Nicholas Winterton: To ask the Secretary of State for Scotland what assessment she has made of the impact of the current outbreak of foot and mouth disease on the rural economy of Scotland. [155175]

Mrs. Liddell: My colleagues in the Scottish Executive have kept me fully briefed on developments in Scotland. I was able to witness at first hand the action being taken to contain and eradicate foot and mouth disease and to discuss its impact on the Scottish economy during my visit to Dumfries and Galloway with the Prime Minister last Friday.

My right hon. Friend, the Minister for the Environment, and the Scottish Executive have announced packages of measures designed to provide help for rural communities in Scotland. The Scottish Executive launched their Comeback Code on 23 March providing simple clear advice on how people can enjoy rural Scotland, while protecting farmers and their animals.

Unemployment

7. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what the current levels of unemployment are in Glasgow constituencies; and if she will make a statement. [155176]

Mrs. Liddell: The table shows the current levels of unemployment in each of the parliamentary constituencies in Glasgow.

Parliamentary constituency	*Men*	*Women*	*People*	*Percentage Rate People*	*Difference since 1997*
Anniesland	1,566	354	1,920	10.6	−26.7
Baillieston	1,820	456	2,276	10.2	−37.2
Cathcart	1,260	307	1,567	10.6	−30.0
Govan	1,777	453	2,230	4.7	−32.9
Kelvin	1,663	469	2,132	1.2	−41.7
Maryhill	2,162	534	2,696	6.4	−39.7

Parliamentary constituency	Men	Women	People	Percentage Rate People	Percentage Difference since 1997
Pollok	1,769	379	2,148	12.0	-33.0
Rutherglen	1,116	281	1,397	8.3	-40.8
Shettleston	1,968	434	2,402	8.6	-27.0
Springburn	2,212	529	2,714	11.8	-31.9

Scotland Office

8. **Mr. Gray:** To ask the Secretary of State for Scotland what discussions she has had with the Prime Minister concerning the future of her Department. [155177]

Mrs. Liddell: I have regular discussions with the Prime Minister on a wide range of issues.

Electricity Interconnectors

9. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what progress has been made on the electricity interconnector to Northern Ireland from Scotland and the upgrading of the English interconnector. [155178]

Mrs. Liddell: Progress is ongoing on upgrading interconnector links from Scotland to both Northern Ireland and England and I welcome the further expansion of business opportunities in the electricity market. Work is under way to have the Scotland—Northern Ireland interconnector fully operational by the end of the year, at a capacity of 480MW, which will be its design maximum. It is expected that at least some of the electricity exported to Northern Ireland would then be re-exported to the Republic.

Work is also progressing to complete the upgrading of the Scotland—England interconnector by October 2002. The upgrade will take its nominal capacity from 1600MW to 2200MW.

Drugs

10. **Mr. Roy:** To ask the Secretary of State for Scotland what recent discussions she has had with the First Minister concerning the Government's anti-drugs strategy. [155179]

Mr. Foulkes: My right hon. Friend meets regularly with the First Minister and discusses a range of topics, including how best to tackle the serious problem of drug abuse.

Most recently, on Sunday 1 April, my right hon. Friend and the First Minister and I, along with colleagues, demonstrated the determination of the Government and the Scottish Executive to work in partnership in the fight against illegal drug dealers by participating together in the *Daily Record's* "March Against Drugs" which was held in Glasgow.

Coal Industry

12. **Mr. Donohoe:** To ask the Secretary of State for Scotland what steps the Government have taken to secure the future of the Scottish coal industry; and if she will make a statement. [155181]

Mrs. Liddell: The UK Coal Operating Aid Scheme provides for up to £110 million to be paid by the UK Government to the UK coal industry. Longannet coal mine in Fife was the first to receive money under this scheme, assistance which will help ensure its future.

This significant injection of Government funds has helped safeguard 700 jobs at Longannet. Scottish Coal is now looking to recruit an additional 130 staff, including 30 apprentices, which will bring the total number of employees to 830. This is the first time in 20 years that Scottish Coal, or its predecessor British Coal Scotland, has advertised for apprentices.

New Deal

13. **Mrs. McKenna:** To ask the Secretary of State for Scotland how many people in Scotland have secured jobs as a result of the New Deal; and if she will make a statement. [155182]

Mrs. Liddell: The New Deal has been a tremendous success in Scotland. 48,627 people have found jobs as a result of their participation in the New Deal for Young People, New Deal 25+, New Deal for Lone Parents and New Deal 50 plus.

19. **Mr. McFall:** To ask the Secretary of State for Scotland if she will make a statement on the impact of the New Deal in Scotland on youth employment. [155189]

Mrs. Liddell: The New Deal has made a significant impact on youth employment in Scotland. In January alone, 700 more young people in Scotland have found work through the New Deal. 32,000 more young people in Scotland are now in work thanks to the New Deal. Unemployment among young people has fallen by 67 per cent. since the introduction of the programme in 1998.

Pensioner Poverty

14. **Mr. Davidson:** To ask the Secretary of State for Scotland what discussions she has had with the Scottish Executive on UK-wide initiatives to alleviate pensioner poverty in Scotland. [155184]

Mr. Foulkes: I have frequent discussions with the Scottish Executive on a wide variety of issues. On pensioner poverty, we have introduced a number of measures to target the poorest pensioners. These measures include the Minimum Income Guarantee, free television licences for those aged 75 or over and the Winter Fuel Payments for those aged 60 or over. From this month, the basic State pension will raise by £5 for a single pensioner and £8 for a couple. From 2003, we shall introduce the Pension Credit which will reward pensioners with modest savings. Together with Jackie Baillie I launched the Government's Fuel Poverty Strategy in Scotland.

European City of Culture

15. **Mr. David Stewart:** To ask the Secretary of State for Scotland what discussions she has had with the Secretary of State for Culture, Media and Sport about the award of European City of Culture 2008. [155185]

Mr. Foulkes: I am in regular contact with colleagues on a wide range of matters, including cultural issues relevant to the UK. The award of the European City of

Culture would be a boost for any of our cities and towns throughout the UK. I am aware of interest in the newly established city of Inverness in bidding to become the European City of Culture in 2008 and wish them well in their deliberations.

Greenock Semi-conductor Plant

16. **Dr. Godman:** To ask the Secretary of State for Scotland if she discussed the Health and Safety Executive's study of employees' health at the national semi-conductor plant in Greenock when she last met members of the Scottish Executive. [155186]

Mr. Foulkes: We have regular discussions with the Scottish Ministers on a wide range of issues. On the Health and Safety Executive's study, the HSE send the Scottish Executive monthly progress reports. The HSE's approach to the study has the support of an independent panel of Scottish experts.

Block Grant

17. **Sir Teddy Taylor:** To ask the Secretary of State for Scotland if she will discuss with Treasury Ministers plans for a further needs assessment in relation to the Scottish block grant. [155187]

Mrs. Liddell: The Government have no plans to modify the current basis for determining the Scottish Expenditure Block. The Barnett Formula provides a fair deal for Scotland and has led to stable settlements under successive Governments for over 20 years.

State Pension

18. **John Robertson:** To ask the Secretary of State for Scotland how many pensioners in Scotland are benefiting from the recent increases in the basic state pension. [155188]

Mr. Foulkes: Around 900,000 pensioners in Scotland benefit.

National Minimum Wage

20. **Mr. David Marshall:** To ask the Secretary of State for Scotland how many people in Scotland will benefit from the uprating of the national minimum wage. [155190]

Mr. Foulkes: The increase in the adult national minimum wage to £4.10 per hour from October 2001 will benefit at least 120,000 people across Scotland, many of them women and people who work part-time.

Climate Change Levy

21. **Mr. Brady:** To ask the Secretary of State for Scotland if she will make a statement on the impact of the climate change levy on manufacturing industry in Scotland. [155191]

Mr. Foulkes: The climate change levy will raise an estimated £1 billion in its first year, all of which will be recycled back to business via a 0.3 per cent cut in employers' National Insurance contributions and £150 million of spending on energy efficiency.

The Government expect the levy to be broadly neutral between services and manufacturing. Its impact on the manufacturing industry in Scotland will depend on a number of factors including the extent to which industry adopts more efficient energy management practices.

Oil and Gas Industry

22. **Miss Begg:** To ask the Secretary of State for Scotland if she will make a statement on the future of oil and gas industry businesses in Scotland. [155192]

Mrs. Liddell: Last week we had a very positive debate at the Scottish Grand Committee on the future of the oil and gas industry in Scotland. I congratulate my hon. Friend on her valuable contribution to that debate. This Government remain determined to work with the industry so that it can maintain and build upon its international reputation and success.

LORD CHANCELLOR'S DEPARTMENT

Gender Imbalance

32. **Mr. Gordon Prentice:** To ask the Parliamentary Secretary, Lord Chancellor's Department what research she has carried out into gender imbalances in the judiciary and their implications for the conduct of cases of *(a)* rape and *(b)* other sexual offences. [155202]

Jane Kennedy: No research has been carried out in the terms mentioned. The Lord Chancellor has confidence in the independence and impartiality of the judiciary and therefore does not consider the gender of a judge to be relevant when judges are allocated to preside over particular types of cases, such as rape or other sexual offences.

Community Legal Service (South-west)

33. **Mrs. Gilroy:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the progress of the Community Legal Service in the south-west. [155203]

Mr. Lock: The Community Legal Service is making good progress in the south-west. There are now CLS Partnerships in Cornwall, Devon, Plymouth, north Somerset, Dorset, Wiltshire, Bristol, Swindon, and Gloucestershire. The CLS Partnerships cover 76 per cent. of the population of the south-west, and I am confident this figure will continue to grow.

Rural Courthouses

34. **Mr. Simon Thomas:** To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on the Lord Chancellor's policy towards two-courtroomed courthouses in rural areas. [155204]

Jane Kennedy: The Government's policy is that magistrates courts are best managed locally by magistrates courts committees, under the provisions of the Justices of the Peace Act 1997. We encourage magistrates courts committees to liaise with the Court Service and other agencies considering sharing arrangements and ensure better utilisation of court buildings.

Magistrates (Social Background)

35. **Mr. Ben Chapman:** To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on progress in widening the social background of magistrates. [155206]

Jane Kennedy: As the Government announced in "Criminal Justice: The Way Ahead" (CM5074), my noble and learned Friend the Lord Chancellor has asked for a national strategy for the recruitment of lay magistrates to be developed. A lot of good work is done by the local advisory committees who do encourage people from all walks of life to consider applying.

The Magistrates in the Community project run by the Magistrates Association and funded by my Department also does valuable work in raising the profile of justices of the peace. We need however to see whether there is more we should be doing from the centre to get the message across that we want benches to be representative of the community they serve.

Legal Profession

36. **Mr. Mackinlay:** To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has for changes in the workings of the legal profession. [155207]

Mr. Lock: On 7 March 2001, the Director General of Fair Trading published his report on competition in the market for professional services. The Government are keen to remove restrictive practices that are not in the public interest and which reduce incentives on lawyers to provide innovative and affordable services to the public. We will consult on the report, and consider responses on the Director General's analysis before taking further action.

Witnesses (Learning Disabilities)

37. **Fiona Mactaggart:** To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the adequacy of the training that judges receive on conducting cases in which witnesses have learning disabilities; and if he will make a statement. [155208]

Mr. Lock: Judicial training is the responsibility of the Judicial Studies Board, an independent body, chaired by Lord Justice Waller. Training seminars for judges include dedicated sessions or case studies (sometimes both) on disability issues, of which learning disabilities form a part. In addition, all judges are issued with written guidance on all aspects of fair treatment, called the "Equal Treatment Bench Book." A new section of the Bench Book, entitled "Disability" was published in January 2001. This section includes material on learning disabilities and a chapter on the provisions of the Youth Justice and Criminal Evidence Act 1999 relating to witnesses with learning disabilities.

The Judicial Studies Board keeps the training it provides under continuous review.

Court Security

38. **Mr. Bercow:** To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on protection of court officials and the prevention of escape by defendants. [155209]

Jane Kennedy: The Lord Chancellor's Department takes security in courtrooms and threats to the public, judges, magistrates and staff very seriously.

Both the Court Service and magistrates courts committees carry out regular risk assessments of the adequacy of physical security measures in court buildings and there are ongoing programmes of security improvements across the court estate. In addition, more secure docks are being installed in certain Crown and magistrates courts so as to provide higher levels of courtroom security for the more serious cases being heard.

The Lord Chancellor has asked officials to report to him on the adequacy of existing security arrangements across the court estate (particularly following the reduction of routine uniformed police presence in Crown Courts), on the options for their improvement and on the feasibility of more fundamental proposals.

The adequacy of prisoner security measures during court hearings is the responsibility of the Prison Service and the Prison Escort and Custody Services (PECS).

Lord Chancellor's Apartments

39. **Mr. Ian Bruce:** To ask the Parliamentary Secretary, Lord Chancellor's Department how many people have visited the Lord Chancellor's apartments. [155210]

Mr. Lock: Since March 1998, there have been 282 public tours and 99 charity receptions held in the Lord Chancellor's official residence. As a result, 16,511 people have visited and approximately £2 million has been raised for charity.

Rural Magistrates Courts

40. **Mr. Luff:** To ask the Parliamentary Secretary, Lord Chancellor's Department if she will make a statement on her policy on rural magistrates courts. [155211]

Jane Kennedy: The Government's policy is that magistrates courts are best managed locally by magistrates courts committees, under the provisions of the Justices of the Peace Act 1997. Decisions concerning the future of magistrates courts in their area, whether rural or urban, are for the relevant magistrates courts committee to determine.

Lay Magistracy

41. **Ms Rosie Winterton:** To ask the Parliamentary Secretary, Lord Chancellor's Department what steps she is taking to increase the number of lay magistrates. [155212]

Jane Kennedy: The numbers of justices required in any one area of the country is determined locally depending on the workload of the courts. My noble and learned Friend the Lord Chancellor has no present plans to seek to increase the number of justices generally. If my hon. Friend has any specific problems in mind I would be happy to discuss these further with her.

Departmental Policies (Luton, South)

Ms Moran: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will set out, with statistical information relating as directly as possible to the

constituency, the effects on the Luton, South constituency of the Lord Chancellor's Department's policies and actions since 2 May 1997. [156158]

Mr. Lock: The Lord Chancellor's Department is responsible for the administration of the courts and for legal services. We have taken steps to improve the management and effectiveness of the services we provide and to meet customer needs, including working closely with other agencies to provide a fair, swift and effective system of justice, improve the availability of affordable and good quality legal services and to improve the lives of children and help build and sustain strong families.

In particular, Luton, South constituency is covered by the Luton and South Bedfordshire Community Legal Service Partnership, which is one of 170 Community Legal Service Partnerships throughout England and Wales.

Within the Luton, South constituency, as at 8 March 2001, 12 firms of solicitors and three Not-for-Profit organisations had been awarded Legal Service Commission contracts with an expected combined expenditure value in the financial year 2001–02 of £451,000. The contracts cover a range of categories, including Family, Welfare Benefits, Immigration, Debt, and Mental Health.

As at noon 30 March 2001, nine firms in the constituency had signed Criminal Defence Service contracts for 2001–02. During the year, the total value of payments for work done under these contracts is expected to be approximately £2,290,000.

Sentencing Guidelines

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions she has had with the judiciary on sentencing guidelines, with particular reference to convicted offenders in wheelchairs. [156250]

Jane Kennedy: None. Sentencing is a matter for the courts. Parliament lays dow the parameters within which sentencers must work but it is then for the courts to decide on sentences in the individual circumstances of each case. Sentencing guidelines are laid down by the Court of Appeal, with the assistance of advice from the Sentencing Advisory Panel. Additionally, the Magistrates' Association publishes guidance to assist magistrates with sentencing.

Commonhold and Leasehold Reform Bill

Mr. Derek Twigg: To ask the Parliamentary Secretary, Lord Chancellor's Department what effect the Commonhold and Leasehold Reform Bill will have on the rights of Crown leaseholders to enfranchise and to acquire a new or extended lease. [157024]

Mr. Lock: Following a statement made on 2 November 1992 by the right hon. Member for North-West Hampshire (Sir G. Young), the Crown authorities gave an undertaking that the Crown would, as landlord and subject to specified conditions, agree to the enfranchisement or extension of residential long leases under the same qualifications and terms which applied by virtue of the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993 to lessees who hold from other landlords.

The Crown authorities have confirmed that they will apply the terms of this undertaking to the provision of the 1967 Act and the 1993 Act as amended by the present Commonhold and Leasehold Reform Bill if enacted. This undertaking accordingly supersedes the one given on 2 November 1992.

The full terms of the agreement made by the Crown are as follows:

(1) the Crown as landlord will, subject to the conditions described, agree to the enfranchisement or extension of residential long leases or the grant of new residential long leases, under the same qualifications and terms which will apply by virtue of the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993 to lessees who hold from other landlords;

(2) enfranchisement will be refused where property stands on land which is held inalienably;

(3) enfranchisement will also be refused where certain circumstances, which only apply to the Crown, obtain. These are:

(i) where there are particular security considerations (on the advice of the Royal and Diplomatic Protection Group of the Metropolitan police or other security agencies)

(ii) where properties are in, or intimately connected with, the curtilage of historic Royal Parks and Palaces;

(iii) where properties, or the areas in which they are situated, have a long historic or particular association with the Crown.

(4) the areas referred to in paragraph (3) (iii) include the Off Islands within the Isles of Scilly (St. Agnes, Bryher, St. Martins and Tresco), the Garrison on St. Mary's and parts of central Dartmoor. The properties referred to in that paragraph include Old Land Revenue and reverter properties and grace and favour properties.

(5) where enfranchisement is refused on the grounds set out in paragraphs (2) and (3), but the tenant would otherwise qualify for enfranchisement, lease extension or the grant of a new lease by analogy with the statutes, the Crown will be prepared to negotiate new leases.

(6) the Crown will follow the valuation bases set out in the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993.

(7) the Crown will agree to be bound by arbitration where there is dispute over valuation or other terms, except in cases under paragraphs (2) and (3). The Leasehold Valuation Tribunal will be empowered to act as the arbitration body, and will hear such disputes on voluntary reference.

(8) the Crown will be entitled to apply to the Leasehold Valuation Tribunal for approval of a scheme of estate management in the same way as other landlords.

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Written Answers to Questions

Wednesday 4 April 2001

ENVIRONMENT, TRANSPORT AND THE REGIONS

Waste Disposal

Mr. Temple-Morris: To ask the Secretary of State for the Environment, Transport and the Regions if he has carried out an assessment to determine whether the PFI contract for the disposal of waste entered into between Herefordshire and Worcestershire councils and Fosca plc in 1998 complies with guidance issued by his Department on 22 December 2000. [147513]

Mr. Meacher: The Herefordshire and Worcestershire waste PFI scheme was endorsed by the Interdepartmental Project Review Group in February 1998, following an assessment in line with the criteria published on 9 December 1997. General criteria for all PFI projects were revised on 21 December 1998 and 23 December 1999. Revised specific criteria for PFI waste schemes in England were published on 22 September 2000. Officials will be writing to authorities with endorsed proposals for waste schemes, including Herefordshire and Worcestershire, to explore with them whether their existing schemes might be brought more closely in to line with the subsequent changes to the PFI criteria.

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, with statistical information relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156242]

Ms Armstrong: The principal kinds of funding that this Department has provided to North East Lincolnshire from 1997 to 2001–02 are shown in the table. These include grants and borrowing approvals for revenue and capital expenditure.

It is not possible to determine how much of this money has been spent on Great Grimsby. It is for the local authority to decide where within its boundary these resources are applied.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02 (where known)*
Revenue Support Grant	[1]62.131	[1]67.079	68.861	69.537	73.971
Income from National Non-Domestic Rates	[1]36.222	[1]37.357	40.226	44.997	43.876
Housing Investment Programme	[2]2.370	1.995	2.186	[3]4.340	[4]6.425
Capital Receipts Initiative	0.324	1.049	1.016	n/a	n/a
Cash Incentive Scheme	0.064	0.050	0.000	n/a	n/a
New Deal for Communities Funding	—	—	—	—	—
Neighbourhood Renewal Funding	—	—	—	—	—
Transport Supplementary Grant	3.372	4.079	1.265	0	0.359
Transport Annual Capital Guideline	3.383	4.080	1.292	0	0
Transport Block Supplementary Credit Approval	0.284	0.490	0.773	2.270	3.065
Rural Bus Challenge Grant	0	0	0	0	0
Rural Bus Subsidy Grant	0	0.043	0.032	0.043	0.054

[1] The amounts of Revenue Support Grant and Income from National Non-Domestic Rates shown for 1997–98 and 1998–99 are the revised amounts allocated under "The Local Government Finance Report (England) 1997–98 Amending Report 1999" and "The Local Government Finance Report (England) 1998–99 Amending Report 2000" respectively.
LGR SCA figures for NE Lincolnshire. As follows:
1997–98—£1.900 million
1998–99—£1.568 million
[2] 1997–98 HIP allocation inherited from the previous Government's spending plans. Present Government introduced CRI from 1997–98.
[3] Single Housing Pot introduced from 2000–01 resulting in CRI being merged with HIP.
[4] Resource accounting has resulted in a change to the way capital resources are allocated for 2001–02, with the introduction of a new Major Repairs Allowance (MRA) to cover the cost of maintaining local authority housing in a sound condition. The North East Lincolnshire MRA allocation for 2001–02 is £4.786 million and, for comparison purposes, is included in the 2001–02 HIP allocation above.
Note:
North East Lincolnshire's overall capital allocation of £6.425 million, represents an increase of 171.10 per cent. on the inherited 1997–98 allocation.

North East Lincolnshire—SRB funding received under Rounds 1 to 6

Round 6—Unlocking potential

A seven-year scheme submitted by the Community Partnership for North East Lincolnshire, it aims to create sustainable local jobs and grow a creative and enterprising culture in deprived communities as a fundamental drive to overcome social exclusion. The scheme has three carefully balanced elements: Job creation and the promotion of entrepreneurship and enterprise, Achieving social inclusion: Sustainable regeneration through infrastructure improvements.

SRB total £12.1 million. Scheme total £30.7 million.

Round 5—Yorkshire and Humber Coastal Tourism Initiative

A five-year scheme submitted by the Yorkshire Tourist Board to support and encourage the growth of small tourism based businesses in the East Coast target area from Staithes to Cleethorpes. Support is through a

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range of programmes including grant assistance for product improvements, marketing and environmental improvements, subsidised consultancy, business mentoring, training and benchmarking.

SRB total: £529,000. Scheme total £2 million.

Round 4—Creating A Learning Community

A six-year scheme to tackle a local culture which does not value education or lifelong learning, and addresses a high level of need, by implementing a strategy to raise expectations and foster lifelong learning. The scheme will promote positive attitudes to learning in communities, within families and within the workplace by improving access to support and guidance structures; increasing opportunities to improve basic skills; promoting investment in employee training and development; and nurturing effective partnerships to widen participation.

SRB total: £1.76 million. Scheme total: £5.55 million.

Round 3—Investing in Youth

A seven-year targeting the under 26s, tackling unemployment, educational attainment, skills training and health. It takes advantages of multimedia TV and district cabling to reach otherwise inaccessible groups and builds upon the Safer Cities programme with measures to involve your people in reducing crime and vandalism and engage them in community safety and environmental works.

SRB total: £7.19 million. Scheme total £19 million.

Round 2—Port Districts

A seven-year scheme seeking the economic and social regeneration of the most deprived communities in the ports districts of Immingham and Grimsby. The port areas are a close mix of industrial and residential use. The scheme identifies how local skill/educational levels and aspirations, poor housing and infrastructure and is a comprehensive scheme providing support for the key food and port related industries, housing and community capacity building measures.

SRB total: £8.47 million. Scheme total: £32 million.

Round 1—Nunsthorpe and Bradley Park Resource Centre

The provision of a resource centre at Nunsthorpe and levered in a significant contribution from the private sector as well as the public sector. The Nunsthorpe estate suffers from high unemployment, crime and vandalism. The resource centre complemented initiatives already being delivered under the Estate Action programme by providing facilities for the voluntary sector, support for tenants groups, much-needed leisure facilities and workshop and training opportunities.

SRB total: £187,000. Scheme total: £1.7 million.

European Funding

Under the 1997–99 Objective 2 programme there were a series of Action Plans in the North East Lincolnshire area covering business support and community economic development (worth about £8.2 million in ERDF and £2.4 million in ESF grant) together with capital projects (Europarc development site and Cleethorpes tourism projects worth over £6 million in ERDF/ESF).

For Objective 3 (ESF), NEL had £19,000 in 1997 and £126,000 in 1999–2000.

For Objective 4 (ESF), NEL support was subsumed into Humberside-wide activity. This is great for fostering partnership working but means that it is almost impossible to disaggregate the figures for an exercise like this.

Water Abstraction Licences

Mr. Simon Thomas: To ask the Secretary of State for the Environment, Transport and the Regions (1) what representations he has received concerning the impact on a company's ability to plan and invest for the long term of his proposal relating to a time limit on water abstraction licences; [156344]

(2) what representations he has received concerning the environmental effects of his proposed time limit on water abstraction licences. [156345]

Mr. Robert Ainsworth: My Department received a number of representations in response to the 1998 consultation document "The Review of the Water Abstraction Licensing System in England and Wales". These were summarised in "Taking Water Responsibly", published in 1999. There was widespread support among respondents for time limited licences on environmental grounds. About a sixth of the respondents were opposed to time limiting. This was mainly because of concerns about the possible impact on business planning and investment. A number of respondents to the draft Water Bill published last year have commented on time limiting licences. Similar comments have been made as were made previously. Many of those expressing concern accept the need for time limits in principle, but want licences to have a duration longer than the standard period in order to allow companies to plan and invest for the long term.

There will be a presumption of renewal with all time limited licences. Also, it will be open to abstractors to apply for licences with time limits of more than 12 years. Each application will be considered by the Environment Agency on a case-by-case basis and will need to demonstrate need and that an assessment has been made of the environmental impact.

Mr. Simon Thomas: To ask the Secretary of State for the Environment, Transport and the Regions on what grounds he based his proposal for a time limit on water abstraction licences. [156346]

Mr. Robert Ainsworth: The Government's policy on time limiting abstraction licences was set out in "Taking Water Responsibly", published in 1999. There are long-term uncertainties which could lead to some currently acceptable abstractions becoming unsustainable. The principal concern is uncertainty about climate change impact upon water resources replenishment and hence the availability of water for abstraction in future decades.

Another significant concern is the extent to which changing technological or economic patterns will continue to affect the use or non-use of licensed abstractions in the future. Just as there have been changes in past decades in those patterns, so there have been changes in awareness and expectations of the social dimension to the water environment and the activities and values which it supports through "in situ" or abstractive use.

Recycling

Mr. Simon Thomas: To ask the Secretary of State for the Environment, Transport and the Regions how much of Great Britain's waste has been recycled in each of the last five years. [156348]

Mr. Robert Ainsworth: Total annual data for GB are not available for each of the five years requested. The latest available data are for 1998 and show an estimate of between 170–210 m. tonnes of waste produced by households, commerce and industry, including construction and demolition in the UK, of which 26 per cent. were recycled. Information on the amount of municipal waste collected and recycled in England and Wales is obtained on an annual basis through the Department's annual Municipal Waste Management Survey. Municipal waste makes up about a sixth of total waste produced. The municipal waste recycling rates for 1995–96, 1996–97, 1997–98 and 1998–99 were 7.1, 7.2, 8.0 and 9.7 per cent. respectively. 1999–2000 data are expected to be available in the summer. Waste recycling in Scotland is a matter for my right hon. Friend the Secretary of State for Scotland.

Pathfinder

Mr. Barron: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library his Department's response to the Environment Agency's consultation document, 'Pathfinder'. [156646]

Mr. Meacher: My Department has not yet responded to the Environment Agency's consultation document "The Business of Learning—Investing in a Sustainable Future", which was developed from the Agency's Pathfinder project. When we do send a response, I will place a copy in the Libraries of the House.

Statutory Instruments

Jane Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions how many statutory instruments were laid before Parliament by his Department and its predecessors in each year from 1993 to 1998, inclusive. [156521]

Mr. Robert Ainsworth: The number of statutory instruments laid before Parliament by my Department and its predecessors in each year from 1993 to 1998 was as follows:

Year	
1993	276
1994	266
1995	260
1996	322
1997	280
1998	270

Bus Services (Shrewsbury)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many bus services were operated from Shrewsbury *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [156508]

Mr. Hill: The information is as follows:

1997 bus services from Shrewsbury (excluding park and rides) per week: 881

Latest recorded figures: 928.

The increase in journeys from Shrewsbury to other destinations amounts to 47 per week and are in the main rural services. Some of this increase may be as a result of the Rural Bus Subsidy Grant which was introduced in 1998–99 and has provided over 1,800 new and enhanced services in rural England and 58 in Shropshire in 1999–2000. The allocation for 2001–02 has already been announced and will allow the support of services in towns up to a population of 25,000. A percentage of the grant will also be available for the support of recently withdrawn services or existing services under threat of withdrawal. The allocation for Shropshire for 2001–02 is £804,914 with similar allocations up to 2003–04.

Sites of Special Scientific Interest

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many sites of special scientific interest there were in Shrewsbury and Atcham in each year since 1992; and if he will make a statement. [156510]

Mr. Robert Ainsworth: The table shows the total number of sites of special scientific interest (SSSIs) in the Shrewsbury and Atcham borough for each year since 1992.

Year	*Number of SSSIs*
1992	22
1993	23
1994	24
1995	24
1996	24
1997	24
1998	25
1999	25
2000	27
2001	27

Fishing Industry

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to regenerate areas in England which are affected by the decline of the fishing industry; and if he will make a statement. [156804]

Ms Armstrong: Fishing communities in England, in common with other areas of the country, are eligible to apply for funding under a wide range of current Government and European Union initiatives. These can be split broadly into three categories:

initiatives specific to coastal and rural communities—examples include grant schemes administered by MAFF, and the European Union LEADER programme;

assistance for those leaving the industry with re-skilling and re-employment. DfEE administers a number of services and programmes through the Employment Service, including Work-Based Learning for Adults; the RDAs administer the Skills Development Fund, which is focused on local projects developed

in response to specific need; and the new Learning and Skills Councils are working on Workforce Development Plans, again geared to local labour market requirements.

regeneration initiatives—such as Regional Selective Assistance, Enterprise Grants, European Structural Funds and the RDAs' Single Regeneration Budget.

These schemes are already providing considerable assistance. Nevertheless, I also appreciate that fishing communities have suffered particularly badly in recent times, due to declining fish stocks and other pressures, and that they have a strong case for further assistance.

I have therefore asked the Regional Development Agencies to set aside £5.5 million from their budget to go towards a new programme of assistance for fishing communities. The programme will aim to help local partnerships to devise strategies for regenerating affected areas. It will be designed specifically to help fishing communities develop plans for their areas and make their case to Regional Development Agencies and other sources of funding, and more effectively access assistance from existing programmes.

It will be possible for some of this money to be used to help tourism, including re-opening coastal paths.

This new initiative forms part of a wider Government package of assistance to fishing communities. Earlier this week, MAFF announced that they are making available £6 million for additional assistance in England to assist restructuring in the fishing industry. They will be consulting with the industry about the precise form the assistance should take. MAFF also announced that they are launching a fisheries structural fund grants scheme (FIFG) for England; they have already committed £6 million to this EU scheme over the coming three years. This is in addition to a separate £5 million fund for fisheries in Cornwall.

The total value of the MAFF and DETR packages is £22.5 million.

I am also pleased to say that colleagues in the DfEE are today announcing a package of support for fishing communities. The Employment Service will use every opportunity to assist those made unemployed to return to work as quickly as possible. This will be a flexible service, tailored to the needs of the particular community. The type of service will depend on what is appropriate in each instance. All aspects of jobsearch, training, access to vacancies, help with job applications and a fast track benefit service, maybe through On-site Jobshops, can be used. Open days and Job Fairs may also be an option.

ES staff will be available to offer intelligence on the local labour market and to match people to current vacancies. There is also access to over 350,000 vacancies on the website www.employmentservice.gov.uk and to a national telephone job hunting service Employment Service Direct (0845 60 60 234).

Additional help through the Job Transition Service will be offered in areas where large scale redundancies occur and where unemployment is already high. It will not only help those people directly affected but also people from communities which are dependent upon the fishing industry.

The Job Transition Service is a new programme and key to the way in which this Government are tackling large scale redundancies. The Job Transition Service builds on existing ES support to provide the extra help needed to move people rapidly back into work. In particular, it works with employers to identify skills shortages and match people without jobs to jobs without people.

The DfEE and the Employment Service will work closely with other departments and agencies to tackle the issue of job losses in the fisheries industry and the community as a whole. The approach will be practical and efficient, responding to local needs.

EDUCATION AND EMPLOYMENT

Opinion Polling

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment what *(a)* quantitative and *(b)* qualitative analytical work his Department has commissioned from GGC/NOP since 1 May 1997; and what was (i) the cost of the contract and (ii) the specific nature of the work commissioned. [155666]

Mr. Wills *[holding answer 28 March 2001]:* The Department has not commissioned quantitative or qualitative analytical work through GGC/NOP.

Astra Pension Scheme

Mr. Todd: To ask the Secretary of State for Education and Employment what provision will be made to cover the shortfall in pension that the Astra Pension Scheme members are expecting; and if he will make a statement. [156119]

Mr. Wicks: The process for winding up the Astra Group Pension Scheme is ongoing. The extent of any shortfall in benefits secured for members will not be known until the process is completed.

Student Travel Grants

Mr. Cox: To ask the Secretary of State for Education and Employment what plans he has to help young people over the age of 16 who are studying in school or college towards the cost of travelling expenses to their place of education. [156195]

Mr. Wicks: My Department makes available funding to LEAs for schools and to colleges for students of 16 and over to help with transport and other course related costs. These funds are part of a £115 million package of discretionary support available from September 2001–02 onwards, which is an increase of £16 million over the 2000–01 allocation. We also provide up to £150 million for Education Maintenance Allowances to provide students of 16 and over in 56 LEAs with funding to support their costs and provide incentives.

We have given guidance to LEAs, who have a duty to assess and respond to local transport needs, on how best to work in partnership with colleges in providing local transport and local policies. In the longer term we have commissioned an exercise using external consultants to produce good practice guidance and options for developing policy.

Statutory Instruments

Jane Griffiths: To ask the Secretary of State for Education and Employment how many statutory instruments were laid before Parliament by his Department and its predecessors in each year from 1993 to 1998 inclusive. [156520]

Mr. Wills: The following numbers of statutory instruments were laid:

Year	*Number*
1993	74
1994	103
1995	84
1996	88
1997	70
1998	144

Grammar Schools

Dr. Tonge: To ask the Secretary of State for Education and Employment if the ability tests set by grammar schools will be set on the same basis as those in the National Curriculum. [156887]

Ms Estelle Morris: Admission authorities for grammar schools are responsible for setting their own arrangements for selecting pupils by academic ability. It is up to them to decide what method of testing to adopt.

Taskforces

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment if he will list the taskforces which report to his Department. [157151]

Mr. Blunkett: Using the standard definition of a taskforce as a body with membership drawn not solely from the public sector, a lifetime of less than two years and a remit focused on a single issue taskforces reporting to DfEE are:

Advisory Group for Disabled People in Employment and Training

Advisory Group on Access and Hardship Funds

Advisory Group on Citizenship in Post Compulsory Education and Training

Citizenship Education Working Party

Connexions Service: Youth Service Transition Working Group

Council for Excellence in Management and Leadership

Expert Group on Neighbourhood Nurseries

Friends of Sure Start

Graduate Apprenticeship National Steering Group

Investors in People in Schools Advisory Group

Learning Partnerships Group

Literacy and Numeracy Strategy Group

Modern Apprenticeships Advisory Committee

National Advisory Group on Special Educational Needs

National Training Organisation Advisory Group

New Deal Taskforce

Personal, Social and Health Education Advisory Group

Post 16 Funding External Partners Group

School Standards Taskforce.

School Achievement Awards

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list by constituency the number of achievement awards made to schools. [154747]

Ms Estelle Morris *[pursuant to her reply, 20 March 2001, c. 160W]:* The table contained inaccuracies. A corrected table has been placed in the Library.

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list by local education authority the total value of achievement awards made and the percentage of the national total budget which schools in each local education authority received. [154749]

Ms Estelle Morris *[pursuant to her reply, 20 March 2000, c. 165–68W]:* The table contained inaccuracies. The following table shows the correct information.

Total value of school achievement awards by LEA

LEA	*Value of awards (£)*	*Percentage of total value*
City of London	8,400	0.0
Camden	279,470	0.5
Greenwich	277,480	0.4
Hackney	269,250	0.4
Hammersmith and Fulham	283,850	0.5
Islington	218,990	0.4
Kensington	214,550	0.3
Lambeth	276,110	0.4
Lewisham	435,590	0.7
Southwark	398,880	0.6
Tower Hamlets	609,190	1.0
Wandsworth	323,670	0.5
Westminster	269,080	0.4
Barking and Dagenham	371,230	0.6
Barnet	509,890	0.8
Bexley	363,290	0.6
Brent	356,150	0.6
Bromley	353,450	0.6
Croydon	330,120	0.5
Ealing	619,830	1.0
Enfield	419,430	0.7
Haringey	313,870	0.5
Harrow	263,330	0.4
Havering	394,230	0.6
Hillingdon	402,730	0.7
Hounslow	285,390	0.5
Kingston upon Thames	173,160	0.3
Merton	220,720	0.4
Newham	611,620	1.0
Redbridge	449,570	0.7
Richmond upon Thames	190,930	0.3
Sutton	309,620	0.5
Waltham Forest	305,160	0.5
Birmingham	2,040,550	3.3
Coventry	335,780	0.5
Dudley	407,370	0.7
Sandwell	418,260	0.7
Solihull	323,180	0.5
Walsall	342,890	0.6
Wolverhampton	409,340	0.7
Knowsley	171,210	0.3
Liverpool	797,600	1.3
St. Helens	276,590	0.4
Sefton	553,900	0.9
Wirral	373,450	0.6
Bolton	397,090	0.6
Bury	174,770	0.3
Manchester	616,310	1.0
Oldham	328,150	0.5
Rochdale	253,520	0.4
Salford	274,140	0.4

Total value of school achievement awards by LEA

LEA	Value of awards (£)	Percentage of total value
Stockport	240,690	0.4
Tameside	298,180	0.5
Trafford	416,780	0.7
Wigan	335,670	0.5
Barnsley	276,640	0.4
Doncaster	430,970	0.7
Rotherham	372,870	0.6
Sheffield	495,130	0.8
Bradford	416,180	0.7
Calderdale	266,520	0.4
Kirklees	602,380	1.0
Leeds	889,260	1.4
Wakefield	407,570	0.7
Gateshead	314,720	0.5
Newcastle upon Tyne	256,380	0.4
North Tyneside	345,300	0.6
South Tyneside	246,140	0.4
Sunderland	464,730	0.8
Bath and North East Somerset	275,370	0.4
Bristol, City of	349,350	0.6
North Somerset	179,480	0.3
South Gloucestershire	218,730	0.4
Hartlepool	195,920	0.3
Middlesbrough	226,140	0.4
Redcar and Cleveland	289,050	0.5
Stockton-on-Tees	333,710	0.5
Kingston Upon Hull, City of	370,540	0.6
East Riding of Yorkshire	309,290	0.5
North East Lincolnshire	255,850	0.4
North Lincolnshire	166,650	0.3
North Yorkshire	573,920	0.9
York	129,420	0.2
Bedfordshire	371,680	0.6
Luton	214,470	0.3
Buckinghamshire	400,420	0.6
Milton Keynes	293,380	0.5
Derbyshire	917,460	1.5
Derby	266,080	0.4
Dorset	360,140	0.6
Poole	137,320	0.2
Bournemouth	127,940	0.2
Durham	671,210	1.1
Darlington	148,540	0.2
East Sussex	376,080	0.6
Brighton and Hove	355,530	0.6
Hampshire	1,218,320	2.0
Portsmouth	177,610	0.3
Southampton	316,480	0.5
Leicestershire	664,890	1.1
Leicester	263,010	0.4
Rutland	54,190	0.1
Staffordshire	866,030	1.4
Stoke	323,410	0.5
Wiltshire	429,320	0.7

Total value of school achievement awards by LEA

LEA	Value of awards (£)	Percentage of total value
Swindon	81,560	0.1
Bracknell Forest	84,810	0.1
Windsor and Maidenhead	141,050	0.2
West Berkshire	180,300	0.3
Reading	191,260	0.3
Slough	264,200	0.4
Wokingham	166,430	0.3
Cambridgeshire	439,760	0.7
Peterborough	332,310	0.5
Cheshire	727,450	1.2
Halton	235,160	0.4
Warrington	180,770	0.3
Devon	725,750	1.2
Plymouth	275,730	0.4
Torbay	213,230	0.3
Essex	1,484,890	2.4
Southend-on-Sea	310,290	0.5
Thurrock	268,890	0.4
Herefordshire	126,630	0.2
Worcestershire	591,660	1.0
Kent	1,462,280	2.4
Medway	284,880	0.5
Lancashire	1,426,470	2.3
Blackburn	240,610	0.4
Blackpool	88,650	0.1
Nottinghamshire	787,890	1.3
Nottingham	440,570	0.7
Shropshire	235,660	0.4
Telford and Wrekin	242,300	0.4
Cornwall	368,980	0.6
Cumbria	765,530	1.2
Gloucestershire	500,540	0.8
Hertfordshire	1,423,680	2.3
Isle of Wight	80,190	0.1
Lincolnshire	818,420	1.3
Norfolk	951,710	1.5
Northamptonshire	489,980	0.8
Northumberland	437,610	0.7
Oxfordshire	563,070	0.9
Somerset	505,340	0.8
Suffolk	703,770	1.1
Surrey	1,063,410	1.7
Warwickshire	742,960	1.2
West Sussex	626,520	1.0

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list by local education authority the number of *(a)* primary schools and *(b)* secondary schools which have received achievement awards. [154742]

Ms Estelle Morris *[pursuant to her reply, 20 March 2001, c. 159–64W]:* The following table shows the correct information.

School achievement awards by local education authority and type of school

LEA	Nursery	PRU	Primary	Secondary	Special
Barking and Dagenham	—	—	18	4	1
Barnet	2	1	38	7	—
Barnsley	—	—	30	5	—
Bath and North East Somerset	—	—	26	5	3
Bedfordshire	—	—	39	12	1
Bexley	—	—	23	6	—
Birmingham	1	—	136	27	6
Blackburn with Darwen	—	—	20	4	—
Blackpool	—	—	6	2	—
Bolton	—	—	37	4	1
Bournemouth	—	—	7	2	1
Bracknell Forest	—	—	11	1	—

School achievement awards by local education authority and type of school

LEA	Nursery	PRU	Primary	Secondary	Special
Bradford	1	—	37	6	2
Brent	—	1	18	5	—
Brighton and Hove	—	—	22	4	4
Bristol, City of	4	—	41	3	—
Bromley	—	—	24	5	1
Buckinghamshire	—	3	47	7	—
Bury	1	—	22	1	2
Calderdale	—	—	28	3	1
Cambridgeshire	—	—	50	5	1
Camden	—	1	15	5	—
Cheshire	—	—	81	11	—
City of London	—	—	1	—	—
Cornwall	—	—	43	7	—
Coventry	—	—	24	5	1
Croydon	3	1	23	5	2
Cumbria	—	1	85	17	—
Darlington	—	—	10	4	1
Derby	3	—	23	3	3
Derbyshire	2	—	93	19	—
Devon	—	—	97	10	—
Doncaster	—	—	32	7	—
Dorset	—	—	32	11	1
Dudley	—	—	26	9	—
Durham	3	—	96	8	4
Ealing	—	—	32	9	1
East Riding of Yorkshire	—	—	33	4	1
East Sussex	—	—	47	4	—
Enfield	—	—	17	7	—
Essex	—	2	138	21	3
Gateshead	1	—	35	4	—
Gloucestershire	—	—	57	9	2
Greenwich	—	—	24	5	—
Hackney	—	—	25	3	—
Halton	2	—	23	3	1
Hammersmith and Fulham	2	—	19	5	3
Hampshire	—	2	133	16	5
Haringey	—	—	22	4	—
Harrow	—	—	18	4	1
Hartlepool	—	—	8	4	1
Havering	—	1	22	10	—
Herefordshire	—	—	16	4	—
Hertfordshire	—	1	124	28	3
Hillingdon	—	—	21	7	—
Hounslow	—	—	21	4	—
Isle of Wight	—	—	15	1	—
Islington	1	—	16	3	—
Kensington and Chelsea	1	—	20	2	—
Kent	—	2	131	28	2
Kingston Upon Hull, City of	—	—	32	5	1
Kingston upon Thames	—	1	11	3	2
Kirklees	—	—	61	8	—
Knowsley	—	—	26	—	—
Lambeth	1	—	22	3	2
Lancashire	7	4	118	32	9
Leeds	—	—	91	7	1
Leicester	—	—	30	1	—
Leicestershire	—	—	66	16	—
Lewisham	1	1	27	6	3
Lincolnshire	—	—	59	27	3
Liverpool	—	—	57	14	3
Luton	—	1	18	3	—
Manchester	—	—	43	6	6
Medway	—	—	26	5	—
Merton	—	—	21	2	1
Middlesbrough	—	—	20	2	2
Milton Keynes	—	—	23	3	—
Newcastle upon Tyne	—	1	36	3	1
Newham	—	—	27	7	1
Norfolk	—	—	105	16	—
North East Lincolnshire	—	—	20	4	1
North Lincolnshire	—	—	18	4	—
North Somerset	—	—	13	3	1
North Tyneside	—	—	30	6	—

School achievement awards by local education authority and type of school

LEA	Nursery	PRU	Primary	Secondary	Special
North Yorkshire	—	—	71	13	—
Northamptonshire	3	—	63	6	1
Northumberland	—	—	42	17	4
Nottingham	2	—	37	7	2
Nottinghamshire	—	—	86	14	2
Oldham	—	—	33	4	1
Oxfordshire	3	1	50	12	4
Peterborough	—	—	26	4	1
Plymouth	—	—	25	5	—
Poole	—	—	9	3	—
Portsmouth	1	1	17	—	5
Reading	1	1	12	5	—
Redbridge	—	1	18	9	—
Redcar and Cleveland	—	1	22	6	2
Richmond upon Thames	1	—	16	3	—
Rochdale	—	—	18	4	3
Rotherham	—	—	37	5	—
Rutland	—	—	2	2	—
Salford	—	—	28	4	3
Sandwell	—	—	35	6	—
Sefton	—	—	29	13	2
Sheffield	2	—	35	6	3
Shropshire	—	—	37	4	—
Slough	—	1	14	6	—
Solihull	—	—	28	4	—
Somerset	—	—	57	9	3
South Gloucestershire	—	1	20	3	—
South Tyneside	4	2	23	3	1
Southampton	—	—	31	3	2
Southend-on-Sea	—	—	19	5	1
Southwark	2	—	27	7	1
St. Helens	1	—	25	2	3
Staffordshire	—	1	84	17	6
Stockport	—	—	29	3	1
Stockton-on-Tees	—	—	23	6	—
Stoke-on-Trent	5	1	30	4	2
Suffolk	—	—	71	19	1
Sunderland	—	—	33	5	4
Surrey	1	—	101	17	—
Sutton	1	—	12	8	—
Swindon	—	—	14	—	—
Tameside	—	—	30	4	2
Telford and Wrekin	—	—	23	5	—
Thurrock	—	—	17	5	2
Torbay	—	—	12	4	—
Tower Hamlets	2	1	37	8	3
Trafford	—	—	32	9	—
Wakefield	—	—	42	6	—
Walsall	—	—	22	7	1
Waltham Forest	1	—	13	6	1
Wandsworth	—	—	22	4	1
Warrington	1	—	26	1	—
Warwickshire	3	—	57	14	4
West Berkshire	—	—	21	2	1
West Sussex	—	2	72	7	3
Westminster	—	—	23	4	—
Wigan	—	—	38	2	2
Wiltshire	—	—	43	11	1
Windsor and Maidenhead	—	—	17	3	—
Wirral	—	—	42	2	4
Wokingham	—	—	17	2	—
Wolverhampton	3	—	29	7	2
Worcestershire	1	1	61	13	1
York	—	1	13	2	2

Labour Market Statistics

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what revisions to the Labour Market Statistics are scheduled for April; and what the impact of such revisions will be on *(a)* national and local statistics and *(b)* relevant Department for Education and Employment policies. [155761]

Mr. Blunkett: ONS announced on 19 July 2000 that they would be introducing a new annual survey of employee jobs—the Annual Business Inquiry (ABI)—to

replace the Annual Employment Survey. The new statistics will be published in the Labour Market First Release on 11 April. These data are used in national regional and local estimates of employee jobs and the national and regional Workforce Jobs series. In addition the estimates are used in the calculation of claimant count rates nationally, regionally and locally and in national and regional productivity estimates.

Work carried out by ONS established that the ABI was the better estimate of employee jobs in the economy and that the errors in the previous estimate had occurred back over time. ONS have indicated the following on the likely effects.

Early indications, from mid-2000, were that the revisions will show 500,000 to 750,000 more jobs for 1998 than previously estimated. If these indications of the scale are applied to the claimant unemployment rate, then the 1998 UK rate would be revised down by 0.2 percentage points.

The UK claimant count level is unaffected.

Productivity levels will be revised down, but growth rates will only be slightly affected by the introduction of the ABI. An improved methodology is being introduced from 1997 onwards.

Revisions will take place over the history of the series.

Locally, employee job estimates and claimant unemployment rates for regions, local authorities and parliamentary constituencies will also be revised. DfEE like all users have no indication of the scale of these revisions for each local area. The claimant count rates will be revised downwards nationally. Past experience suggests that although the local rates will in general be revised down some local claimant rates may be revised up.

As the revisions will be over the history of the series, changes over time in these series will be relatively unaffected.

There will also be annual seasonal adjustment reviews to the Labour Force Survey, claimant count and vacancies series. These do not usually lead to significant revisions.

The information available from ONS only gives some indication of the likely scale of the revisions. DfEE will fully assess any impact on our policies once we have the exact information available to us. However, the indication that changes over time will be relatively unaffected suggests that the impact on our policies will not be major.

Full details on the new statistics will be available on 11 April from the House of Commons Library.

INTERNATIONAL DEVELOPMENT

Kenya

Mr. Cox: To ask the Secretary of State for International Development what funding her Department provides for each project it supports in Kenya. [156703]

Clare Short: The table lists, by sector, all current approved projects in Kenya and their funding allocations totalling £164.46 million. Disbursement of funds takes place over a number of years reflecting the varying project lifespans.

Sector/Project	*Allocation (£)*
Agriculture and Livestock	
Kenya Trypanosomiasis Research Institute (KETR) Project Phase III	2,381,600
ABLH Smallholder Mkt. and Cert. Project	2,819,000
SmallHolder Dairy Project	2,007,000
Farm Africa Goat Project	1,133,000
EPAG: Com. Animal Health	462,220
Farming Systems Kenya	303,000
Agriculture Sector Reform	48,000
Rural Livelihoods Policy Influencing	120,000
ITDG Decent'd Animal Health	350,861
Land Tenure Project	300,000
Sabatia Food Security/Resource Project	317,289
Agric Tech Dissemm Project	50,000
RNR Regional Co-ordinator	45,000
Subtotal	10,336,970
Forestry	
Forestry Consultation	75,000
Subtotal	75,000
Rural Development	
Aga Khan Foundation—Kwale	1,100,000
Wajir Pastoralist Dev II	1,002,044
ActionAid Capacity Bld Ph 2	2,000,000
Subtotal	4,102,044
Public Administration	
Strengthening Gov. Fin & Acct'g	1,100,000
Support to Attorney General	438,600
Beijing Platform for Action II	513,000
Population Census 1999	1,235,000
Gender Strategy	30,000
Poverty Eradication Plan	25,000
Support to Civil Service Reform	220,230
Support to Kenya Anti Corruption Auth	225,000
Poverty Information in Kenya	50,000
Political Empowerment Project	2,200,000
PRSP Consultation	750,000
Legal Sector Reform	50,000
Subtotal	38,336,830
Water and Sanitation	
CARE NDHEWAS Project	908,785
Water Aid Development of ASAL Water	608,791
ASAL water II	950,000
CARE Garissa	405,693
SASOL	353,059
Subtotal	3,226,328
Business and Finance	
Barclays Loan Guarantee	969,092
Enterprise Initiative Prj II	600,000
CARE Women's Econ Develop.	2,758,188
Support to KWFT	1,741,623
MFI Analysis and Support	50,000
K-Rep Phase II	953,904
Deregulation Phase II	1,377,779
Mwezi Kali 2 BGTP	925,669
ApproTec Ram Oil Press	83,000
Co-op Bank Micro Finance	1,125,000
Support to Faulu Phase II	2,520,000
Support to KICK Phase II	399,872
Financial Services to the Poor	70,000
KICK/Green Disabled Group	65,339
Small Enterprise Awards Scheme	634,000
ApproTec Long Term Irrigation	1,700,000
Business Partnership Project	1,150,000
Enabling Environment for Business	100,000
Subtotal	17,223,466

Sector/Project	Allocation (£)
Urban Development	
Nairobi Urban Poverty Project	2,913,800
Mombasa Urban Project	2,844,000
Kibera Urban Env. Sanitation Project	60,000
Subtotal	5,817,800
Education	
Strengthening Primary Education	13,360,000
Primary School Management	4,760,000
Mumias Educ. For Empowerment	400,000
AA Community Education Initiative	400,000
Subtotal	18,920,000
Health and Welfare	
Interim Vaccine Procurement	1,793,750
Kenya Family Health Project	11,470,000
HIV/AIDS Prevention and Care	26,000,000
Safe Motherhood Partnership Fund	1,720,000
Health Planning and Reform Support	484,000
AMREF Employer Based Malaria	849,755
East African Malaria Monitoring and Research	263,709
Eradication of Polio in East Africa	7,907,688
Malaria Control in Kenya	1,163,820
AMREF Turkana CBHC Phase II	500,000
Subtotal	52,152,722
Conflict	
Pastoral Conflict in Kenya	25,000
Arid District Conflict Reduction Proj.	595,000
Subtotal	620,000
Emergencies/Drought	
MSF Spain Emergency Project	530,000
EPAG Mandera	184,000
OXFAM Borehole Protection	1,110,944
OXFAM Turkana Food Distribution	313,248
WFP Emergency Operation 6203	10,030,000
Livestock Off-take	150,000
Support to Office of the President	180,000
UNICEF Emergency Nutrition	158,043
FAO Emergency Seed Distribution	20,000
UNICEF Health and Nutrition	600,000
FAO CBPP Campaign	144,650
Subtotal	13,420,885
Roads	
Study of Roads Agency	230,000
Subtotal	230,000

Romania and Albania

Mr. Cox: To ask the Secretary of State for International Development if she will list the assistance programmes her Department is funding in *(a)* Romania and *(b)* Albania. [156704]

Clare Short: Our main financial contribution to development programmes is through the EC and other multilateral agencies. Our share of EC programme commitments to Romania and Albania in 2000 was £79 million.

Activities under our bilateral programmes are as follows:

In Romania we are funding programmes for accountancy and audit reform; the Court of Audit; civil service reform; health care and child care reform; the development of a probation service; development of insurance services; energy sector regulation; social protection; education finance; mining communities; rural development; citizens advice and information services; environmental project design; environmental partnerships at municipal level; and water and wastewater services.

In Albania we are supporting the Government's Growth and Poverty Reduction Strategy and Medium Term Expenditure Framework; health financing and planning; taxation reform; media development; public administration reform; social policy and social service reform; rural livelihoods; environment; and emergency planning and disposal or ordnance.

We published a country strategy paper for Romania in October 1999, and for Albania in January 2001. Copies are in the Library of the House.

Mr. Cox: To ask the Secretary of State for International Development what financial assistance her Department has provided to UNICEF for its work in the protection of young refugees from *(a)* Romania and *(b)* Albania. [156705]

Clare Short: We have provided a total of £7.75 million to UNICEF for programmes in the Balkans. Of this sum, £1 million was allocated to Albania and £3.5 million for regional programmes. There was no specific allocation for Romania.

Government Expenditure Target

Mr. Patrick Hall: To ask the Secretary of State for International Development what progress has been made towards meeting the Government's target for expenditure on overseas development as a proportion of gross national product. [157222]

Clare Short: My Department announced on 2 April that the UK oda/GNP ratio for calendar year 2000 is provisionally estimated at 0.31 per cent. This puts the Government on track to achieve the target of 0.33 per cent. by the financial year 2003–04.

DEFENCE

Manual of Military Law Part III

Mrs. Gillan: To ask the Secretary of State for Defence (1) what plans there are for the Manual of Military Law Part III to be *(a)* be revised, *(b)* reprinted and *(c)* reissued; and if he will make a statement; [155920]

(2) when the most recent edition of the Manual of Military Law Part III was printed; if this edition is currently in use; and if he will make a statement; [155918]

(3) if the Manual of Military Law Part III, is held by all military units; and what the policy is on Part III being held by units; [155916]

(4) if all members of the armed forces *(a)* have issued to them and *(b)* have access to the Manual of Military Law Part III; and if he will make a statement; [155919]

(5) what the legal status is of the Manual of Military Law; and if he will make a statement. [155915]

Mr. Spellar: The Manual of Military Law Part III (MML Pt III) was first published in 1958. MML Pt III is an academic legal text, a reference document for lawyers, and a detailed, if dated, commentary on the rules of war. In practice, the incorporation of legal requirement in

Rules of Engagement, courses on international law at all levels at appropriate times, and cards setting out main war crimes issued to servicemen going into combat are all more relevant to servicemen than MML Pt III. As such, MML Pt III is only one way in which the Law of Armed Conflict is disseminated in the Army.

There are no plans to reprint MML Pt III in its current form but it has not been withdrawn from circulation. Copies are still held at unit and formation level and further copies may be requested from the Central Services Establishment, Llangennech.

MML Pt III is being completely rewritten as a Joint Service Publication (JSP 383) and will therefore cover the law of armed conflict applicable to land, sea and air operations. A timetable for publication and distribution has not yet been fixed as draft texts are still being considered.

Army Recruits (Commonwealth)

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) if he will make a statement on his plans to make greater use of the Commonwealth as a source of potential army recruits; which *(a)* countries and *(b)* specialities will be targeted; and what the budget of the recruitment exercise will be; [156793]

(2) if the plans to make greater use of the Commonwealth as a source of potential army recruits will include the recruitment of Commonwealth nationals into *(a)* existing regiments and units or *(b)* new Commonwealth regiments and units; what pay and conditions will apply; and if he will make a statement; [156794]

(3) if the plans to make greater use of the Commonwealth as a source of potential army recruits include recruitment from Commonwealth countries whose head of state is not Her Majesty the Queen; and if he will make a statement; [156795]

(4) what oath of allegiance will be taken by non-British recruits from Commonwealth countries when they are enlisted into the British Army under the plans in the Strategy for the Army. [156797]

Mr. Spellar: The Army has no plans to recruit actively from the Commonwealth and there is, therefore, no specific budget allocated to this area of recruitment. Applications are welcomed from Commonwealth citizens, subject to their meeting the normal entry criteria, irrespective of whether the Queen is head of state or not. Successful applicants are placed wherever vacancies exist according to their qualifications, performance at selection and preferences, where possible; there are no plans to institute "Commonwealth" regiments. Individuals enlist under the same terms and conditions of service as UK applicants and are required to swear an oath of allegiance to Her Majesty the Queen as head of the Commonwealth. The visits made to Fiji and St. Vincent and the Grenadines by army selection teams in 1999 and 2000 took place in order to process the large backlog of applications from these countries; no new recruitment was undertaken during these visits. The British Army has traditionally welcomed members of the Commonwealth as soldiers and officers. It is perhaps the spread of information via the world wide web and similar mediums that has increased the level of interest from overseas areas in recent months.

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many non-British citizens from Commonwealth countries are serving in the armed forces other than in training or observation roles, in each case *(a)* the regiment or unit in which they serve, *(b)* the country of which they are a citizen and *(c)* the terms of service; and if he will make a statement. [156796]

Mr. Spellar: The table details the numbers of non-British citizens from Commonwealth countries serving in the Army by Arm/Corps as at 1 March 2001.

Army Corps	*Total*
Household Cavalry	7
Royal Armoured Corps	27
Royal Artillery	57
Royal Engineers	19
Royal Signals	23
Footguards	29
Scots Division	109
Queens Division	70
Kings Division	33
Prince of Wales' Division	76
Light Division	50
Royal Irish (General Service)	25
Paratroopers	60
Army Air Corps	9
Royal Army Chaplains Division	5
Royal Logistical Corps	84
Royal Army Medical Corps	37
Royal Electrical and Mechanical Engineers	14
Adjutant General's Corps (Provost Branch)	5
Adjutant General's Corps (Staff and Personnel Support Branch)	25
Royal Army Dental Corps	11
Long Service List	5
Other	21
Grand total	801

The table details the country of which they are a citizen (as at 1 March 2001).

Nationality	*Total*
Australia	61
Fiji	373
India	12
Jamaica	34
Kenya	7
Malta Gc	6
Canada	62
New Zealand	51
Trinidad and Tobago	9
Pakistan	6
Zimbabwe	45
South Africa	70
Other	65
Total	801

To ensure confidentiality under the Data Protection Act (1998) several Corps and nationalities were combined in the category 'Other' as categories with less than five entries cannot be published. The Corps combined include: Corps of Army Music, Army Physical Training Corps, Intelligence Corps, Adjutant General's Corps (Army Legal Service), Adjutant General's Corps Education and Training Service, Gurkhas, Staff, Queen Alexandra's Royal Army Nursing Corps and Royal Veterinary Corps.

Non-British citizens from Commonwealth countries serve on the same terms of service as British citizens.

It is not possible to publish data for the Royal Navy or RAF as details on nationality are not held centrally and could be provided only at disproportionate cost.

Lairg Primary School

Mr. Maclennan: To ask the Secretary of State for Defence when he received the report of the Laboratory of the Government Chemist on its analysis of clothing taken from children at Lairg Primary School, Sutherland, following an incident on 15 February; and if he will make a statement. [156891]

Dr. Moonie: As I said in my letter of 8 March to the right hon. Member, the incident on 15 February at Lairg Primary School was being investigated. The report of the Laboratory of the Government Chemist was received by the RAF Police Defence Flying Complaints Investigation Team (DFCIT) on 27 March. The results show no trace of any aviation product or noxious substance. The full DFCIT investigation into the incident is nearing completion and I will write once the RAF Police report is to hand.

Type 22 Frigates

Mr. Quentin Davies: To ask the Secretary of State for Defence what progress he has made on the disposal of the remaining Type 22 frigates. [156675]

Dr. Moonie *[holding answer 3 April 2001]:* Final disposal options on the remaining Type 22 frigates—HMS Boxer, HMS London and HMS Brave—are currently being considered. HMS Beaver, the first of the Type 22s declared surplus under the 1998 Strategic Defence Review, has been sold in a non-operational condition to the commercial market.

PRESIDENT OF THE COUNCIL

Death Penalty

Mr. Cox: To ask the President of the Council how many cases are under consideration by the Judicial Committee of the Privy Council concerning the possible use of the death penalty; and if she will list the countries to which they relate. [156190]

Mrs. Beckett: There is a total of 16 cases, involving 19 persons under sentence of death, currently pending in the Judicial Committee of the Privy Council. These figures are made up as follows:

Appeals heard and awaiting judgment: five (involving six persons)

Appeals waiting to be heard: five (involving six persons)

Petitions for special leave to appeal waiting to be heard: five (involving six persons)

Petition granted, but appeal not yet registered: one.

The cases come from Antigua and Barbuda (two cases), The Bahamas (two), Belize (three), Grenada (three), Jamaica (one), St. Lucia (one), St. Vincent and the Grenadines (one) and Trinidad and Tobago (three).

PRIME MINISTER

Foot and Mouth

Mr. Cash: To ask the Prime Minister what emergency powers he has to take action to halt the spread of foot and mouth disease; and which such powers he has exercised. [156121]

The Prime Minister: The Animal Health Act 1981 and the Foot and Mouth Disease Order 1983 provide the Minister of Agriculture, Fisheries and Food with a wide range of powers to control the disease. These include powers:

to detain the movement of animals and other things while conducting a veterinary inquiry into suspected disease

to slaughter animals affected or suspected of being affected by disease or which have been in contact with infected animals or which have in any way been exposed to the infection of the disease

to impose disease control rules to be observed within an infected place

to impose infected area restrictions around an infected premises in accordance with EU rules

to apply restrictions to animals exposed to disease

to order the cleansing and disinfection of premises and vehicles

to control the disposal of manure, slurry and litter in an infected area

to require stray animals to be controlled in an infected area

to control milk produced in an infected area

to close footpaths and prevent entry onto land (including roads) or premises in an infected area

to prohibit certain sporting and recreational activities (such as hunting and point to point meetings) in an infected area

to apply movement controls to or from slaughterhouses

to apply movement restrictions on animals and other controls within a controlled area (which at present covers the whole of Great Britain)

to prohibit hunting and stalking in a controlled area

to prohibit the holding of fairs, markets, shows or other gatherings of animals.

All these powers have been exercised at various junctures since the date of the first confirmation of the disease. They have been supplemented by the following measures:

within a controlled area, the power to allow the Minister (or a local authority with the prior agreement of the Minister) to close roads

granting a temporary easing of the drivers hours rules for various types of operation affected by foot and mouth (including the transport of animal feed, livestock, agricultural products, disinfectant and milk)

restriction of exports to member states of certain products

amended rules as regards the closure of footpaths and prohibited areas

disinfection of tyres of road vehicles transported out of the UK

establishment of a flat rate valuation for slaughtered animals.

The scope of powers available is kept under constant review in the light of developments.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Press Office

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how many non-career civil servants there are in his Department's Press Office; in what position; and how much *(a)* they and *(b)* career civil servants of equivalent rank are paid. [156823]

Mr. Wilson *[holding answer 3 April 2001]:* Two: Head of News and one Press Officer. Both officers' salaries fall within the pay scales appropriate to their grade. We do not disclose individual officers' salaries.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what the procedure is for appointing non-career civil servants in his Department's Press Office. [156822]

Mr. Wilson *[holding answer 3 April 2001]:* All recruitment to the Foreign and Commonwealth Office is conducted under the Civil Service Commissioner's Recruitment Rules. We either recruit using fair and open recruitment competitions, or make use of the flexibility allowed in the Commissioners' Recruitment Code for short term appointments of up to 12 months.

Iraq

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his *(a)* United Nations and *(b)* United States counterparts regarding non-military sanctions against Iraq.[4] [156540]

Mr. Wilson *[holding answer 3 April 2001]:* The Secretary of State holds regular discussions with US and other key allies on all aspects of Iraq policy, including that of non-military sanctions. UK representatives have regular contact with UN officials.

Air Passenger Duty

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those EU member states which make a distinction between EU member states and candidate countries in the application of air passenger duty; and if he will make a statement. [156831]

Mr. Timms: I have been asked to reply.

It is not possible to provide the information requested. Air passenger duty is specific to the UK. Other EU member states' air travel taxation systems do not operate on the same basis.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the compatibility of proposed changes to air passenger duty with the Czech-UK Agreement on Air Services signed in Prague on 20 March 1998. [156829]

Mr. Timms: I have been asked to reply.

It is the assessment of the UK Government that the changes to air passenger duty that were introduced on 1 April 2001 are compatible with the Czech Republic-UK Agreement on Air Services signed in Prague on 20 March 1998.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if candidate countries to the European Union will be treated as EU member states for the purposes of air passenger duty from the time that the European Common Aviation Area multilateral agreement becomes applicable. [156830]

Mr. Timms: I have been asked to reply.

Candidate countries to the European Union will be treated as EU member states for air passenger duty purposes only when they have completed the accessionary process.

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on competitiveness of changes in air passenger duty on flights within the European Economic Area; and if he will make a statement. [156827]

Mr. Timms: I have been asked to reply.

The changes to air passenger duty implemented on 1 April 2001 should have a positive impact on the UK's competitiveness within the European Economic Area. For those passengers travelling economy class the duty is reduced to £5.

CULTURE, MEDIA AND SPORT

Film

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many people are employed in *(a)* the British Film Commission, *(b)* the Arts Council of England's Lottery Film Department, *(c)* the British Film Institute's Production Department, *(d)* British Screen Finance and (d) the British Film Institute; and how many were employed in April (i) 1999 and (ii) 2000. [156149]

Mr. Chris Smith: The British Film Commission, Arts Council of England's Lottery Film Department and the British Film Institute's Production Department were absorbed into the Film Council on 1 April 2000. British Screen Finance transferred to the Film Council on 1 October 2000. The Film Council currently employs 73 staff.[1]

Figures for preceding years are as follows:

	April 1999	*April 2000*[2]
British Film Commission	11	11
Arts Council of England's Lottery Film Department	11	13
British Film Institute's Production Department	9	11
British Screen Finance	17	15
British Film Institute[3]	445	403
Total	541	524

[1] The Film Council staff total takes into account staff for finance, business affairs, policy and industry training functions which previously either did or did not exist as activities or were functions undertaken by external lawyers and accountants or by other departments within the Arts Council or the British Film Institute.
[2] In respect of all but British Film Institute figures, these relate to the numbers of staff transferring into the Film Council on 1 April 2000.
[3] Figures are based on averages for the year. These figures exclude British Film Institute Production but include externally funded staff of 48 in 1999, 71 in 2000 and 83 at present: these staff are on fixed-term contracts and are funded by a grant from the Heritage Lottery Fund for restoration work at the BFI Archive in Berkhamsted.

Arts Funding (Liverpool)

Mrs. Ellman: To ask the Secretary of State for Culture, Media and Sport how much funding was available for the arts in Liverpool *(a)* since 1997 and *(b)* between 1993 and 1997. [156458]

Mr. Alan Howarth: For the financial years 1993–2000 the figures for grant in aid allocated to the arts in Liverpool are as follows:

Year	*£*
1993	1,153,751
1994	1,678,132
1995	1,284,251
1996	1,648,064
1997	1,766,049
1998	1,712,828
1999	2,090,915
2000	[1]4,112,172
2001	[2]—

[1] Includes delegation of the Royal Liverpool Philharmonic Orchestra from the Arts Council of England
[2] Figures for 2000–01 will not be available until the audited accounts are released later in the year

The total Lottery allocation to Liverpool from 1995 to date has been £21,434,276. I have asked the Arts Council for a breakdown of this figure and will write to my hon. Friend when the information is available.

Listed Sporting Events

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on paragraph 9 of the revised ITC code on sports and other listed events, regarding the Government's policy on listed sporting events. [156566]

Janet Anderson: The Government's policy is to ensure that free to air broadcasters, with a reach of at least 95 per cent. of the population, are given a fair and reasonable opportunity to acquire the rights to broadcast live coverage of "crown jewel" events. As paragraph 9 of the ITC code—last revised in January 2000—explains, it does not guarantee that the event will be broadcast live. Rights holders are not obliged to sell live rights and broadcasters are not obliged to purchase them or to show the events. However, any UK broadcaster that obtains the rights to live coverage of the whole or part of a listed event cannot broadcast exclusively live in the UK without first seeking the consent of the ITC.

Foot and Mouth

Mr. Woodward: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact of the foot and mouth outbreak on safari and wildlife parks. [156681]

Janet Anderson *[holding answer 3 April 2001]:* My Department has made no special assessment of the impact of the foot and mouth outbreak on safari and wildlife parks.

However, my Department is in touch with the Federation of Zoological Gardens of Great Britain and Ireland, which includes wildlife and safari parks in its membership, about the implications of the foot and mouth outbreak. They have been involved in developing Government guidance on the circumstances in which visitor attractions should open. The Federation estimates that in the first four weeks of the outbreak, the zoo, wildlife and safari park sector lost approximately £3.5 million in revenue.

SOCIAL SECURITY

Fraud

Mr. Field: To ask the Secretary of State for Social Security if he will list the *(a)* policy and *(b)* legal reasons that prohibit his Department and its agencies from joining (i) the Credit Industry Fraud Avoidance System and (ii) the National Hunter System. [156473]

Mr. Rooker *[holding answer 2 April 2001]:* We cannot join the Credit Industry Fraud Avoidance System (CIFAS) because it would entail DSS making data about claimants available to the private sector. Members of CIFAS seek their customers' consent to this. In the case of social security benefits, I am advised that making entitlement to benefits conditional upon claimants' giving consent to release of their personal data to organisations such as CIFAS would not constitute real consent, as the claimants often have no choice but to claim benefits from DSS. The alternative of releasing information only for those claimants that gave their consent would be valueless, as fraudsters would hardly be likely to give such consent.

However, we have set up a working party with the private sector to examine what information held by the DSS could be made available within existing legal constraints.

The National Hunter system is a computer software programme which checks for inconsistencies with respect to applications for mortgages. As we procure new IT we will build in the capability we require. The Department is specifying requirements and it is the suppliers' job to decide what form the solutions should take. The Department is deliberately not seeking to lead the suppliers in the direction of specific solutions.

Home Visits

Mr. Brady: To ask the Secretary of State for Social Security what estimate he has made of *(a)* the number of his Department's staff making home visits in the last year, *(b)* the total number of home visits made, *(c)* the total number of homes visited and *(d)* the number of such homes that were also visited by local authority staff in the same period. [156531]

Angela Eagle *[holding answer 2 April 2001]:* The information is not available in the format requested. Such information as is available is that for the period April 2000 to February 2001 when 1,251,280 home visits were made by 6,332 staff.

Child Support

Dr. Harris: To ask the Secretary of State for Social Security what action he proposes to take in respect of the recent decisions of a social security commissioner in relation to the operation of the Social Security Act 1998

and the Social Security and Child Support (Decisions and Appeals) Regulations 1999; and if he will make a statement. [153384]

Angela Eagle: We do not propose to take any action in relation to these decisions.

The Commissioner confirms the approach taken by decision makers in relation to the operation of the Social Security Act 1998 and the Social Security and Child Support (Decisions and Appeals) Regulations 1999. That is, decision makers can make the decision to 'supersede at the same rate' where there is a change of circumstances but it does not change the existing award, and can refuse to supersede a decision where the application cannot possibly affect the existing award.

The Commissioner also held that it is necessary for a new claim for benefit to be made, in all cases, before there can be a supersession for change of circumstances. It is our view that this was a ruling on a point of law which was incidental to the decisions reached, rather than a necessary part of the legal reasoning. Accordingly, the Commissioner's decisions on this point do not constitute binding rulings. For that reason we have decided not to appeal these decisions and we have not asked for existing guidance to decision makers to be altered.

Foot and Mouth

Mr. William Ross: To ask the Secretary of State for Social Security what his estimate is of the percentage of farmers who have had their farm livestock slaughtered as a consequence of foot and mouth disease who will be entitled to claim unemployment benefit. [156556]

Angela Eagle: No such estimate has been made.

Pensions

Mr. Davidson: To ask the Secretary of State for Social Security what discussions he has had with pensioner organisations in Scotland about initiatives to inform older people of their rights. [156571]

Mr. Rooker: Ministers regularly meet representatives of pensioner organisations, including those based in Scotland. On 2 March 2001 we published a Scottish edition of our pensioners guide which provides information of a range of help and advice available to older people through central and local Government.

Mr. Davidson: To ask the Secretary of State for Social Security what changes have been made since 1997 to pension and social security provision for pensioners living in poverty. [156575]

Mr. Rooker: The poorest pensioners will have gained from some or all of the extra increases in basic State Pension, tax allowances and Minimum Income Guarantee, together with Winter Fuel Payments and free TV licences.

As a result of tax and benefit measures introduced by this Government, the poorest pensioner households on the MIG will, on average, be at least £15 a week, or £800 a year, better off in real terms.

Winter Fuel Allowance (Paisley, South)

Mr. Alexander: To ask the Secretary of State for Social Security how many over 60s in Paisley South qualify for the winter fuel allowance. [156862]

Mr. Rooker: Latest information shows that nearly 14,000 Winter Fuel Payments have been made in Paisley, South.

TRADE AND INDUSTRY

Rover Taskforce

Miss Kirkbride: To ask the Secretary of State for Trade and Industry if he will provide a breakdown of the costs of each of the projects involving the Rover taskforce and indicate how much of the funding allocated to it remains to be distributed. [156776]

Mr. Byers: The following is a list of projects which I have approved and which count against the £129 million (originally offered to BMW for investment at Longbridge) which I made available to support good quality projects in the West Midlands.

	£[1]
Initial actions and administrative uplift for Advantage West Midlands (AWM)	300,536
Modernisation of the automotive base	27,720,000
Diversifying the regional economy	20,152,000
Support to the workforce[2]	35,000
Support to families and the community	70,000
Regenerating the area[3]	22,250,000
Grants offered to firms under the Regional Selective Assistance (RSA) scheme	37,250,000
Support towards Staffordshire taskforce proposals	1,973,000
Acquisition of Industrial Land for the Automotive Sector	10,000,000
Proposals which are presently commercially sensitive	9,000,000
Total allocated against the £129 million	128,750,536
Total unallocated against the £129 million	249,464

[1] Estimated cost
[2] This does not include expenditure by the Employment Service
[3] The regeneration projects arising from the Rover taskforce final report have not yet been approved as I am awaiting details of these proposals. However, an amount of £22,000,000 has been allocated to these proposals and will count against the £129 million

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Trade and Industry how many ministerial meetings with hon. Members have been cancelled by Ministers since 1 January. [155235]

Mr. Byers: Two meetings between DTI Ministers and hon. Members have been cancelled since 1 January 2001.

Gas-fired Power Stations

Maria Eagle: To ask the Secretary of State for Trade and Industry when he will announce his decision on BP Energy Ltd.'s proposal to build a combined heat and power gas-fired power station at the Jaguar works at Halewood. [157220]

Mr. Byers: I have today given consent under section 36 of the Electricity Act 1989 to BP Energy Ltd. and clearance under section 14(1) of the Energy Act 1976, to build a 70 megawatt gas-fired combined heat and power station at the Jaguar works at Halewood near Liverpool. Planning permission for the station was granted subject to 51 conditions agreed with Knowsley Metropolitan borough council.

Combined heat and power plants are designed to produce both electricity and usable heat. They have environmental benefits due to their high levels of energy efficiency.

The decision demonstrates the Government's continuing commitment to promote CHP, wherever practicable, and our commitment to reducing emissions of greenhouse gases to fulfil the promises we gave at Kyoto.

The decision also shows the commitment of Ford to Merseyside as the power station will supply the current and future needs of the Jaguar works which will shortly be producing a new range.

Copies of the press notice and decision letter are being placed in the Library of the House.

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry when he will announce his decision on Great Yarmouth Power Ltd.'s application to increase the size of the South Denes gas-fired power station. [157221]

Mr. Byers: I have today granted consent to increase the size of the South Denes 350 MW combined cycle gas turbine power station to 400 MW. The extension is a result of new technology which is more efficient than that originally proposed and will result in a reduction of emissions while delivering the same power.

Copies of the press notice and decision letter are being placed in the Library of the House.

Employment Tribunals (Scotland)

Mr. Grieve: To ask the Secretary of State for Trade and Industry what restrictions there are on his powers to appoint in Scotland chairmen and part-time chairmen of employment tribunals to Scottish advocates or solicitors only. [156792]

Mr. Alan Johnson *[holding answer 3 April 2001]:* Under regulations made by my Department, the appointment of chairmen and part-time chairmen of employment tribunals in Scotland is the responsibility of the Lord President of the Court of Session. The regulations stipulate that appointees must be advocates or solicitors of not less than seven years standing.

Mr. Grieve: To ask the Secretary of State for Trade and Industry for what period of office part-time chairmen of employment tribunals in Scotland are appointed; on what grounds such part-time chairmen may be removed from office; and what the procedures are for effecting such removal from office. [156791]

Mr. Alan Johnson *[holding answer 3 April 2001]:* Part-time chairmen of employment tribunals in Scotland are appointed for a term of five years, which is renewable. It would be for the Lord President of the Court of Session to consider whether any part-time chairman should be removed from office. In considering the case for a removal, he would be guided by the model rules of procedure on these matters as published by the Lord Chancellor last year. The procedure to be followed would be a matter for the Lord President in the light of his consideration of the circumstances of each case.

Departmental Policies (High Peak)

Mr. Levitt: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the High Peak constituency of his Department's policies and actions since May 1997. [156780]

Mr. Caborn: The constituency of High Peak has benefited from a range of initiatives since May 1997 including:

Regional Selective Assistance—a discretionary grant which provides assistance towards capital projects which would not otherwise go ahead and will create or safeguard employment in an Assisted Area. Until 31 December 1999 the High Peak area was in an Assisted Area and up to this date grants totalling £455,000 were offered to three companies supporting total capital expenditure of £3,523,000 with the aim of safeguarding 30 existing full-time jobs and creating in excess of 80 new full-time jobs.

Enterprise Grant—a new discretionary grant introduced in 2000. Provides support to SMEs investing in capital projects which would not otherwise go ahead. Although SMEs investing in capital projects in the Peveril ward of High Peak district council, no grants have yet been awarded in this area.

Smart—discretionary grant available to SMEs to help them develop technologically innovative products and processes. Grant totalling £346,857 has been offered to six projects supporting total projects costs in excess of £837,000.

Business Link—the Business Link network provides a wide range of business advice and support to SMEs. It is not possible to accurately isolate Business Link data for the High Peak constituency area. However, from 1997 to date, Business Link North Derbyshire, which now includes the High Peak constituency, has helped a total of 4,987 businesses and assisted 1,422 business start ups.

European Regional Development Fund (ERDF)—in addition to its domestic initiatives, the Department of Trade and Industry is also the lead Department for European Structural Funds in the UK. Under ERDF Objective 5b (1994–1999) and the LEADER II Community Initiative, High Peak has benefited from £1.23 million. The projects supported have delivered a range of industrial premises, business support and small community projects.

I understand that my hon. Friend has also asked a similar question in respect of DETR policies and programmes.

Miners (Compensation)

Mr. Llwyd: To ask the Secretary of State for Trade and Industry how many claims have been registered by ex-miners suffering from respiratory disease who are resident in the constituencies of *(a)* Caerphilly, *(b)* Llanelli, *(c)* Merthyr Tydfil and Rhymney, *(d)* Neath, *(e)* Clwyd South, *(f)* Wrexham and *(g)* Pontypridd. [155645]

Mr. Hain *[holding answer 28 March 2001]:* IRISC, the Department's claims handlers, do not collect data by constituency. The following information is collated by reference to the postcodes most closely mapping onto the constituencies in question. The number of claims in respect of respiratory disease in the areas defined by these postcodes are listed in the table:

Constituency within defined area	Postcode defined area	Number of claims for respiratory disease
Caerphilly	CF 46, 81–83; NP 1	3,231
Llanelli	SA 14–17	1,308
Merthyr Tydfil and Rhymney	NP 2–3; CF 44, 46–48	3,635
Neath	SA 8–11, 18	3,636
Clwyd South	LL 13–14, 20–21; SY 10	516
Wrexham	LL 11–13	502
Pontypridd	CF 37–39	2,122
Aberavon	SA 11–13, CF 34, 42	2,983
Newport, East	NP 26, 9	22
Ogmore	CF 32, 34, 35, 72	2,915
Blaenau Gwent	NP 3, 23	642
Bridgend	CF 33, 31, 35, 32	1,983
Rhondda	CF 40, 42–44	2,563
Islwyn	NP 1, 3	177
East Carmarthen and Dinefwr	SA 17–20, 31–33, 38–39, 44	1,530

Mr. Llwyd: To ask the Secretary of State for Trade and Industry how many claims for compensation for respiratory disease have been made by ex-miners living in the constituencies of *(a)* Aberavon, *(b)* Newport, East, *(c)* Ogmore, *(d)* Blaenau Gwent, *(e)* Bridgend, *(f)* Rhondda, *(g)* Islwyn and *(h)* East Carmarthen and Dinefwr. [155642]

Mr. Hain *[holding answer 27 March 2001]:* IRISC, the Department's claims handlers, do not collect data by constituency. The information is collated by reference to the postcodes most closely mapping onto the constituencies in question. The number of claims in respect of respiratory disease in the areas defined by these postcodes are listed in the table:

New Businesses (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will estimate the number of new businesses in each industrial category started in Shrewsbury and Atcham since 1997; and if he will make a statement. [156512]

Mr. Caborn: The number of businesses, by broad industrial sector, joining the VAT register in the Shrewsbury and Atcham local authority district in each of the last three years for which data are available, is set out in the table.

	1997	1998	1999	Total
Agriculture, forestry	10	10	10	30
Mining, quarrying; electricity, gas and water supply	0	0	0	0
Manufacturing	15	10	5	30
Construction	20	40	30	90
Wholesale, retail & repairs	65	65	55	185
Hotels, restaurants	40	35	45	120
Transport, storage & communications	10	15	5	30
Financial intermediation	0	5	0	5
Real estate, renting & business activities	80	85	90	255
Public administration; other community, social & personal services	20	20	10	50
Education; health & social work	5	5	0	10
All Sectors	265	290	250	805

Source:
Business start-ups and closures: VAT registrations and de-registrations, National Statistics.

During the period 1 January 1997 to 31 December 1999 some 755 businesses in Shrewsbury and Atcham left the VAT register.

During the same period therefore, the stock of VAT registered businesses in Shrewsbury and Atcham increased by 50 (1.7 per cent). The equivalent percentage increase for the West Midlands region was 1.2 per cent. and for the UK 3.4 per cent.

NETA

Fiona Mactaggart: To ask the Secretary of State for Trade and Industry (1) what the terms of reference are of the review of the initial impact of NETA on smaller generators; and when he will publish its conclusions; [156237]

(2) what steps he has taken to ensure that NETA does not prejudice combined heat and power schemes. [156234]

Mr. Hain: In consultation with the industry, ways have been developed to ensure that smaller generators are be able to trade effectively under NETA, which was implemented on 27 March. These include the ability for a licence-exempt generator to consolidate the output of its plant with that of the plant of other licence-exempt generators in order to reduce any potential exposure to imbalance.

However, in the light of the continuing concern among some smaller generators about the potential impact of NETA on their businesses, I announced in February that I had asked Ofgem to undertake a review of the initial impact of NETA on smaller generators, based on its first two months of live operation.

Ofgem are planning to submit draft terms of reference for this review to me shortly, and they will be published once I have approved them. The issue of timing will be addressed in the terms of reference. The continuing success of combined heat and power and renewables is very important to the Government and Ofgem are well aware of their own regulatory responsibility in this respect.

Company Rescue

Mr. McFall: To ask the Secretary of State for Trade and Industry if he will publish the responses to the report of the joint DTI/Treasury working group on company rescue and business reconstruction mechanisms. [157150]

Mr. Byers: The report of the working group, which was published in November 2000, was followed by a further consultation period, which has now concluded. It will take some time to digest the responses from consultees and firm up our ideas on these proposals. In the interim, I have decided to publish the responses and copies have now been placed in the Library of each House and will appear shortly on the website of my Department's Insolvency Service.

Post Office

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry pursant to his answer of 17 January 2001, *Official Report*, columns 234–35W, if he will place in the Library a copy of the Post Office Chief Executive's answer to his letter of 17 November 2000. [149219]

Mr. Alan Johnson *[holding answer 8 February 2001]:* The Post Office Chief Executive has been consulted and has said that his letter was not intended for publication and he does not consider it appropriate to place a copy in the Library of the House.

Statutory Right to Contract

Mr. Page: To ask the Secretary of State for Trade and Industry what work his Department has carried out on examining the effectiveness of the operation of the statutory right to contract legislation. [R] [155790]

Ms Hewitt *[holding answer 27 March 2001]:* I understand the hon. Member is referring to the statutory right of interest legislation.

We have continued to monitor payment times in the UK since the introduction of the Late Payment of Commercial Debts (Interest) Act 1998. Recent surveys have provided encouraging signs of improvement.

Research published by Dun and Bradstreet last month shows that UK companies are now the second fastest in Europe for paying their bills on time. Although all national performances have improved since the previous surveys, UK companies produced the greatest improvement, identifying a continuing downward trend in UK payment times in recent years.

In addition, a quarterly survey published by the Credit Management Research Centre in March 2001 indicated a continued improvement in payment culture with larger firms exhibiting the most improved payment behaviour.

Radioactively Contaminated Land

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will list the nuclear sites operated by *(a)* BNFL, *(b)* the UKAEA and *(c)* British Energy which contain areas of radioactively contaminated land; and what steps have been taken to remediate contaminated areas on each respective site. [156400]

Mr. Hain: BNFL operates nuclear licensed sites at Sellafield, Springfields, Capenhurst, Drigg, and Chapelcross and Hunterston A nuclear power stations. Magnox Electric plc (a subsidiary of BNFL) operates Sizewell A, Bradwell, Dungeness A, Oldbury, Berkeley, Hinkley Point A, Wylfa and Trawsfynydd nuclear power stations.

British Energy operates Torness, Hunterston B, Hartlepool, Sizewell B, Dungeness B, Hinkley Point B, Heysham 1 and Heysham 2 nuclear power stations.

UKAEA operates sites at Dounreay, Harwell, Windscale and Winfrith.

I understand from HSE that all these sites may have areas of radioactively contaminated land. Nuclear site licensees are responsible for the safe management of all radioactive material on their sites. They are also required to manage areas of contaminated land in accordance with the conditions of the nuclear site licence so that such areas do not present a hazard to the work force or to the public. I understand that BNFL, BE and UKAEA will write to my hon. Friend shortly with information on their contamination remediation procedures.

Business Regulations

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will estimate how many regulations affecting business have been repealed since 1997; and if he will make a statement. [156503]

Mr. Stringer: I have been asked to reply.

An estimate of the total number of regulations affecting business that have been repealed since 1997 could be provided only at disproportionate cost. However, since 1997, 23 deregulation orders have been made under the Deregulation and Contracting Out Act 1994 (DCOA).

The Government are determined to minimise the burden of regulation on business. That is why we are taking through Parliament a Regulatory Reform Bill, which builds on the powers of the DCOA and will make it easier to reform outdated, over-complex or overlapping legislation. We have already identified over 50 reforms that could be achieved by this means.

Each Department already has a continuing programme of regulatory reform. The DTI, for example, is reviewing several significant areas of regulation, including communications and company law, and is actively seeking to add to the five potential regulatory reform orders it has already proposed.

HOME DEPARTMENT

Police Retirements

Ms Kelly: To ask the Secretary of State for the Home Department what proportion of police officers have retired as a result of ill health in each year since 1990. [154512]

Mr. Charles Clarke *[holding answer 21 March 2001]:* Figures for medical retirements between 1990–91 and 1999–2000 are set out in the table.

Year	Medical retirements as a percentage of all retirements
1990–91	62
1991–92	62
1992–93	60
1993–94	53
1994–95	53
1995–96	46
1996–97	45
1997–98	47
1998–99	39
1999–2000	31

Essex Constabulary

Mr. Burns: To ask the Secretary of State for the Home Department how many *(a)* funded and *(b)* actual police officers there were in the Essex Constabulary in each year from March 1997 to the latest date for which figures are available. [154484]

Mr. Charles Clarke *[holding answer 19 March 2001]:* The information requested is set out in the table. The funded police numbers have been provided by the Chief Constable of the Essex Police.

The Home Office Statistical Bulletin on police service strength provides numbers of police officers available for ordinary duty, as opposed to all officers in each force. Officers on secondment, for example, on maternity leave or undertaking full-time further education, are excluded from the figures. This is the basis used in the table for the number of actual police officers.

Essex police—funded police posts and actual police numbers

Year	Number of funded policed posts (fte)	Actual number of police officers (fte)
31 March 1997	2,944	2,961
31 March 1998	2,947	2,928
31 March 1999	2,923	2,891
31 March 2000	2,859	2,806
31 March 2001	2,955	[1]2,859

[1] Numbers as at 31 January 2001. The force returns for strength as at 31 March 2001 for the purposes of the Home Office Statistical Bulletin are not yet available.
Fte = Full-time equivalent.

The force strength (actual numbers) figures for 31 March 1997 and as at 7 February 2001, set out in my answer to the hon. Member on 15 February 2001, *Official Report*, column 240W, were obtained from the Chief Constable of the force. Upon inquiry, it appears that the force classified some officers differently from the method used under Home Office counting rules for the half yearly Statistical Bulletin. This is the reason for the differences between the numbers in that answer and the numbers given here.

Fire Service

Mr. David Atkinson: To ask the Secretary of State for the Home Department what reviews on the future of the Fire Service are in progress; when he will make announcements on them; and if he will make a statement. [156773]

Mr. Mike O'Brien: The Government have a continuing programme of work in partnership with fire service and other interests to modernise the fire service, to reduce the incidence of fire and related death, injury and damage and to ensure the safety of the public. Details are set out in the Home Office Annual Report for 2000–01 (Cm 5106). We are also listening to the views of the Fire Community on the wider future of fire services.

National Asylum Support Service

Mr. Cousins: To ask the Secretary of State for the Home Department if it is his policy to refuse relocation under the National Asylum Support Service allocation rules on grounds of severe clinical depression. [156471]

Mrs. Roche *[holding answer 2 April 2001]:* Dispersal is only considered where the asylum seeker has requested that accommodation be provided as part of an application for support. A decision on whether dispersal is appropriate is taken by the National Asylum Support Service after full and careful consideration of all the known facts. Any medical advice that dispersal is inappropriate would also be taken into account.

Grants (London Boroughs)

Ms Buck: To ask the Secretary of State for the Home Department if he will list *(a)* each category of grant and *(b)* the amount of each grant paid by his Department to each London borough in (i) 1997–98, (ii) 1998–1999, (iii) 1999–2000 and (iv) 2000–01; and what the projected figure is for 2001–02. [155430]

Mr. Straw: I will write to my hon. Friend and place a copy of my letter in the Library.

Anti-semitism

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on anti-Semitic incidents in the last six months; and what representations he has received on the causes of such incidents. [156562]

Mr. Mike O'Brien: Anti-Semitic incidents are not recorded separately by the Home Office. The police in the year 1999–2000 recorded 47,814 racist incidents. The Board of Deputies of British Jews recorded some 221 anti-Semitic incidents in the six months from September 2000 to February 2001.

I have not received any specific representations on the causes of such incidents. I have, with my ministerial colleagues, met with representatives of the Jewish and Muslim communities in the last six months to discuss concerns that the situation in the Middle East should not lead to a breakdown in the good relations between the communities in the United Kingdom.

West Mercia Constabulary (Shrewsbury Division)

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on the effectiveness of the use of anti-social behaviour orders in the Shrewsbury Division of West Mercia constabulary. [156505]

Mr. Charles Clarke: We do not monitor the effectiveness of individual orders centrally. However, I understand from West Mercia police that six anti-social behaviour orders have been issued in the Shrewsbury Division. The orders have all been very effective. Four of them have been targeted on the ringleaders of a gang threatening residents in a village within the Division. Since the orders have been in force, the anti-social behaviour has stopped, and the remaining members of the gang have dispersed.

This is a fine example of what we set out to achieve with anti-social behaviour orders, and I congratulate West Mercia police on obtaining them.

Foot and Mouth

Mr. Sawford: To ask the Secretary of State for the Home Department what powers are available to *(a)* the Police, *(b)* local authorities and *(c)* landowners in order to control dogs in the countryside; and if he will undertake a review of these powers. [156712]

Mr. Mike O'Brien: Under section 2 of the Animals Act 1971, where a dog causes damage by killing or injuring livestock, any person who is a keeper of the dog is liable for the damage. If a dog trespasses onto another's land then if the owner allowed the dog to trespass wilfully or to search for game, the owner is liable for any damage to the owner's livestock.

Under section 9 of the 1971 Act a landowner or the owner of the livestock or an employee of the landowner or the owner of the livestock has a defence to killing or injuring a dog worrying livestock if either:

the dog is worrying or is about to worry the livestock and there are no other reasonable means of ending of preventing the worrying; or

the dog has been worrying livestock, has not left the vicinity and is not under the control of any person and there are no practicable means of ascertaining to whom it belongs.

The collection and detention of stray dogs is provided for under sections 149–150 of the Environment Protection Act 1990. Animal wardens are authorised officers under the Act and undertake work on behalf of the local authority which is their employer. The police also accept stray dogs when they are brought into police stations. Section 27 of the Road Traffic Act 1988 requires that dogs be kept on a leash on public roads, and local authorities can make byelaws to require that dogs be kept on a leash in certain parks, public gardens and amenity areas.

Any dogs in an area infected with foot and mouth disease must be kept under control by their owners. This means that they must either:

be kept in a kennel or enclosure from which they cannot escape; or

be effectively secured to a fixed object by a collar and chain; or

be accompanied by and under the effectual control of the owner or a responsible person authorised by the owner.

In an area declared to be infected with foot and mouth disease a dog must not run free; if it does, it can be seized by the local authority or the police and treated as a stray.

In addition, a Ministry of Agriculture, Fisheries and Food Inspector may serve a notice on anyone in the infected area to keep a dog under specific controls.

Dogs which are kept under proper control are not prevented from being moved. Certain sporting activities involving dogs are not allowed in areas infected with foot and mouth disease.

The need for additional powers to deal with foot and mouth is being kept under constant review. This includes the control of dogs in infected areas.

There are no plans to review the wider law relating to the control of dogs in the countryside, although the measures in place to combat the spread of foot and mouth disease are being kept under constant review.

Mr. Sawford: To ask the Secretary of State for the Home Department if he will take steps to give additional powers to *(a)* the Police, *(b)* local authorities and *(c)* landowners in order to control dogs in the countryside during the outbreak of foot and mouth disease. [156711]

Mr. Mike O'Brien: Any dogs in an area infected with Foot and Mouth Disease must be kept under control by their owners. This means that they must either:

be kept in a kennel or enclosure from which they cannot escape; or

be effectively secured to a fixed object by a collar and chain; or

be accompanied by, and under the effectual control of, the owner or a responsible person authorised by the owner.

In an area declared to be infected with Foot and Mouth Disease a dog must not run free; if it does, it can be seized by the local authority or the police and treated as a stray.

In addition, a Ministry of Agriculture, Fisheries and Food Inspector may serve a notice on anyone in the infected area to keep a dog under specific controls.

Dogs which are kept under proper control are not prevented from being moved. Certain sporting activities involving dogs are not allowed in areas infected with Foot and Mouth Disease.

The need for additional powers to deal with Foot and Mouth is being kept under constant review. This includes the control of dogs in infected areas.

Visitor Numbers

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what would be the cost of counting visitors into and out of the UK; and if he will make a statement. [155587]

Mrs. Roche: A precise figure is not available, but the cost of recording electronically the admissions and departures of all non-European Economic Area nationals is provisionally estimated to be around £20 million a year. This estimate includes the costs of reintroducing embarkation controls, which were discontinued in 1998.

AGRICULTURE, FISHERIES AND FOOD

Foot and Mouth

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food if the Government will pay the additional cost to abattoirs of higher veterinary costs and those arising from the removal of *(a)* manure, *(b)* lorry solids and *(c)* guts and blood following the outbreak of foot and mouth disease. [153891]

Ms Quin *[holding answer 19 March 2001]:* The Government have agreed that they will pay for the more intensive ante mortem inspections and supervision of cleansing and disinfection of wagons that is currently being carried out by the Meat Hygiene Service as a result of the foot and mouth outbreak.

Slaughterhouses, as with any other premises where livestock are kept, may need to comply with statutory requirements for the removal of manure, lorry solids and guts and blood, as part of the controls in place to deal with the foot and mouth outbreak. There are no plans for Government to reimburse costs associated with these functions.

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ban the import of meat and meat products from countries outside the EU *(a)* where foot and mouth disease is (i) prevalent and (ii) suspected and *(b)* where antibodies may be present in animals as a result of vaccination. [154824]

Ms Quin: The importation of meat is permitted from a limited number of third countries where foot and mouth disease is present and where the veterinary authorities have contained the disease in specified regions. EC rules permit imports from those regions of the relevant countries that are not considered to pose a risk to human or animal health. Fully matured boneless beef, which does not pose an FMD risk, may in some cases be imported from other regions subject to veterinary certification. Countries to which these controls currently apply are Botswana, Namibia, South Africa, Swaziland, Zimbabwe, Argentina, Brazil, Colombia and Uruguay. Because of their FMD situation, prohibitions are currently in place on imports from South Africa, Swaziland and Argentina; countries from which imports were previously permitted. All meat imported from third countries is subject to veterinary checks at Border Inspection Posts to ensure that import requirements are met.

There are no controls relating specifically to the presence of antibodies as a result of vaccination. However import of meat from countries which vaccinate is subject to controls and certification to ensure that the beef is matured and boneless and that meat from pigs and ruminants other than bovines comes from unvaccinated animals from an FMD free region.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many reports his Department received in December 2000 of an outbreak of foot and mouth disease; and what actions he took. [154928]

Ms Quin *[holding answer 22 March 2001]:* No outbreaks or suspected cases of foot and mouth disease were reported in December 2000.

Mr. Loughton: To ask the Minister of Agriculture, Fisheries and Food what measures were taken by his Department to deal with any outbreaks of foot and mouth disease in the United Kingdom prior to the public announcements made on 19 February in response to the infection reported at a Brentwood abattoir. [154851]

Ms Quin *[holding answer 22 March 2001]:* Prior to the current outbreak, the most recent case of foot and mouth disease in the UK was in 1981 when there was one isolated case on the Isle of Wight.

The Ministry has contingency plans for dealing with foot and mouth disease and these have been subject to regular review.

Mr. Stephen O'Brien: To ask the Minister of Agriculture, Fisheries and Food (1) if his Department received unconfirmed reports of possible foot and mouth disease in the United Kingdom during 2000; [154957]

(2) what procedures his Department had in place to deal with unconfirmed reports of cases of foot and mouth disease in the United Kingdom over the 12 months up to 19 February; [154961]

(3) what investigations were carried out in respect of each unconfirmed report received by his Department of a case of foot and mouth disease in the United Kingdom over the 12 months up to 19 February. [154955]

Ms Quin *[holding answer 22 March 2001]:* Any person who suspects that an animal may be affected by foot and mouth disease is required by the Foot and Mouth Order 1983 to notify the Ministry. Similar arrangements apply in Northern Ireland. Any such notification would immediately result in veterinary investigations being undertaken. No cases of suspected foot and mouth disease were reported to the Agriculture Departments over the 12 months up to 19 February 2001.

Mr. Loughton: To ask the Minister of Agriculture, Fisheries and Food what information was passed to EU officials by his Department regarding outbreaks of foot and mouth disease in the United Kingdom in 2000. [154850]

Ms Quin *[holding answer 22 March 2001]:* There were no outbreaks of foot and mouth disease in the United Kingdom during 2000. In consequence no information regarding outbreaks was passed to EU officials.

Mr. Pickles: To ask the Minister of Agriculture, Fisheries and Food if *(a)* he, *(b)* ministerial colleagues or *(c)* officials were informed of (i) suspected cases of and (ii) increased risk of foot and mouth in the period three months prior to its first identification in Brentwood on 19 February. [155269]

Ms Quin: No suspected cases were reported to the Ministry in the period three months prior to 19 February. The Ministry first became aware of a suspected case of foot and mouth in pigs at an abattoir in Essex on 19 February and subsequently confirmed disease on the evening of 20 February. My right hon. Friend the Minister was informed of these developments on the days they occurred.

Sandra Gidley: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of studies published on the effectiveness of disinfectants in destroying the foot and mouth virus. [155159]

Ms Quin *[holding answer 23 March 2001]:* Only disinfectants approved by MAFF for use against foot and mouth disease can be used for statutory purposes laid down in Foot and Mouth Disease Orders made under the Animal Health Act 1981. These disinfectants have all been tested for efficacy against live foot and mouth disease virus at the Institute for Animal Health, in accordance with a standard test protocol, and have been found to be efficacious at the dilution rates at which they are approved for use.

BEST COPY AVAILABLE

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the possible linkage between cull sows imported from abroad and the current outbreak of foot and mouth; and if he will make a statement. [155303]

Ms Quin *[holding answer 23 March 2001]:* There is no evidence of such a link at this stage but investigations into the source of the current outbreak are continuing.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food on what date his Department was first informed of the presence of the foot and mouth virus in the United Kingdom; and if he will make a statement. [155302]

Ms Quin *[holding answer 23 March 2001]:* The Ministry first became aware of a suspected case of foot and mouth in pigs at an abattoir in Essex on 19 February and subsequently confirmed the disease on the evening of 20 February.

Dr. Julian Lewis: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the time taken between diagnosing animals as being infected with foot and mouth disease and the taking of effective action. [155076]

Ms Quin *[holding answer 26 March 2001]:* Our objective is to slaughter infected animals within 24 hours of the disease having been reported. In the majority of areas we are now meeting this target but due to the sheer numbers involved it has not been possible to meet it in all cases.

Dr. Julian Lewis: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of the effectiveness of road mats treated with disinfectant as a means of preventing the spread of the virus causing foot and mouth disease; [155074]

(2) what guidance he has issued on the effectiveness of disinfectant mats as a means of preventing the spread of the foot and mouth virus. [155075]

Ms Quin *[holding answer 26 March 2001]:* Road mats treated with disinfectant provide a limited measure of protection against the spread of the FMD virus as they only apply disinfectant to the tyre treads of vehicles passing over them. The best method of disinfection is the combination of thorough cleansing, preferably with a pressure hose, followed by the use of an approved disinfectant applied to all exposed surfaces using a hose or spray.

The advice to people working or travelling in the countryside contained in Public Information Factsheets and on the MAFF website http://www.maff.gov.uk/ makes it clear that vehicles should be thoroughly cleansed and thoroughly disinfected, and explains that this is best achieved by using a hose or spray to apply disinfectant.

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food what measures he has authorised for the control of vermin during the foot and mouth outbreak. [155939]

Ms Quin *[holding answer 27 March 2001]:* MAFF have a contract with the Farming and Rural Conservation Agency to carry out measures to control vermin on infected premises.

Sir John Stanley: To ask the Minister of Agriculture, Fisheries and Food what Government contingency plan there was for an outbreak of foot and mouth in the United Kingdom; and when it was last revised. [155793]

Ms Quin *[holding answer 27 March 2001]:* MAFF has contingency plans for dealing with outbreaks of serious animal disease. These include detailed operational instructions for use by the State Veterinary Service. The plan for foot and mouth was updated and submitted to the European Commission in July 2000.

Sir Brian Mawhinney: To ask the Minister of Agriculture, Fisheries and Food on what date *(a)* an official and *(b)* a Minister was first alerted to the (i) possibility of the first suspected case and (ii) confirmation of the first case of foot and mouth disease. [155937]

Ms Quin *[holding answer 27 March 2001]:* MAFF first became aware of a suspect case of foot and mouth disease on 19 February and of its confirmation on the evening of 20 February. The Minister was so informed on those dates.

Mr. Peter Bottomley: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the retail and wholesale meat trades about the effect on their financial situation of foot and mouth disease; and if he will make a statement on possible temporary relief. [156143]

Ms Quin: We have received a number of representations from various sectors of the meat supply chain. Organisations representing meat wholesalers are currently quantifying the extent of losses resulting from FMD and Government will consider any submission they may subsequently make.

Mr. Webb: To ask the Minister of Agriculture, Fisheries and Food what plans he has to assist farmers who are running out of fodder who would normally turn out their cattle in April and may be prevented from doing so by movement restrictions. [156218]

Mr. Morley *[holding answer 30 March 2001]:* A range of options is available to farmers whose stock are short of food, or facing other welfare threats, as a result of FMD movement restrictions. We have produced advisory material on how to safeguard animal welfare in such circumstances; and we have introduced a scheme to license movements both locally, and over longer distances, for welfare reasons. Finally, the livestock welfare (disposal) scheme provides an outlet for those animals that are prevented from moving as normal and are consequently at risk of suffering. Farmers will receive payment for most classes of stock entered to the scheme. Proper care and feeding of livestock remains the responsibility of farmers.

Mr. Fabricant: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the potential impact of the loss of foot and mouth disease-free status on trade in cattle and beef products. [156013]

Ms Quin *[holding answer 2 April 2001]:* As a result of the present outbreak of foot and mouth disease, UK exports of a range of agricultural products including cattle, beef and beef products have been prohibited. However, the amount of UK beef exported in recent years

has been very low as a consequence of BSE. In 2000 some 8,600 tonnes were exported at a value of £24 million. There were no exports of live animals.

Arable Farms Subsidy Scheme

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what changes he forecasts in the subsidy regime affecting arable farmers from 2001 to 2005. [155780]

Ms Quin: Under the Agenda 2000 agreement the cereals regime is due to be reviewed in 2002. In those discussions, which will also cover a number of other sectors, the Government will continue to press their CAP reform agenda, with a view to improving the balance of supply and demand and bringing EU prices closer to world levels.

Herbivore Farm Animals

Mr. Pike: To ask the Minister of Agriculture, Fisheries and Food if he will ensure that herbivore farm animals are not fed animal by-products; and if he will make a statement. [155965]

Ms Quin: It is already an offence, under the Animal By-Products Order 1999, to feed to ruminants either catering waste containing meat or meat products or unprocessed animal by-products.

Mammalian meat and bone meal may not be fed to any farmed animals. Draft legislation prohibiting the feeding of poultry and fish meal to ruminants had been prepared.

Subsidy Fraud

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how widespread is the practice of moving sheep from farm to farm in order to collect subsidy fraudulently; and if he will make a statement. [156072]

Ms Quin: We are aware of the possibility of such practices occurring and my staff are instructed to look for evidence of this when carrying out on-farm inspections to check sheep subsidy claims.

We have no evidence that such practices are widespread. In England in 2000 we initiated prosecution procedures in two such cases.

Abattoirs

Mr. Webb: To ask the Minister of Agriculture, Fisheries and Food if he will investigate the prices being paid to farmers by abattoirs; and if he will make it his policy to ensure that abattoirs do not exploit their monopoly position. [156135]

Ms Quin *[holding answer 29 March 2001]:* The added costs involved in the livestock slaughter scheme currently being absorbed by the abattoir sector are substantial and these have to be taken into account. These costs include the reduction in throughput due to cleaning and disinfection procedures in the lairage, more thorough ante and post mortem inspections for foot and mouth disease and reduced supplies of available livestock. MAFF is now aware that abattoirs are operating as a monopoly but any evidence of this should be reported to the Office of Fair Trading.

Pigfeed

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that meat and bonemeal is not fed to pigs; what enforcement measures exist; and if he will make a statement. [156157]

Ms Quin: In March 1996 the use of mammalian meat and bonemeal (MMBM) was banned in all feed for farmed animals.

Responsibility for enforcement rests with local authorities. In addition, the State Veterinary Service carries out a feed sampling programme, which involves the collection and testing, for the presence of mammalian protein, of 20,000 feed samples a year to ensure compliance.

Beef Imports

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries from which the import and sale of beef is considered unsafe on animal health grounds; and if he will make a statement. [156382]

Ms Quin *[holding answer 30 March 2001]:* Specific restrictions on imports of beef from Portugal, France, Netherlands, Republic of Ireland, South Africa, Swaziland and Argentina are currently in place because of the disease situations in those countries. Beef may be imported from other EM member states in accordance with community rules. Beef may only be imported into any EU member state from third countries that have been approved by the European Commission and it must come from approved premises in those countries. Those approved third countries which currently have approved establishments are set out in the table shown. Beef cannot be imported into the UK from any third country which is not on this list.

Australia
Brazil
Botswana
Canada
Croatia
Czech Republic
Hungary
Malta
Namibia
New Zealand
Paraguay
Poland
Romania
Slovakia
Slovenia
United States of America
Uruguay
Switzerland
Yugoslavia
Zimbabwe.

Agriculture

Mr. Watts: To ask the Minister of Agriculture, Fisheries and Food what level of *(a)* Government and *(b)* EU subsidy the agricultural sector received in *(a)* 1996, *(b)* 1997, *(c)* 1998, *(d)* 1999 and *(e)* 2000. [156266]

Ms Quin *[holding answer 30 March 2001]:* The following table sets out (a) total CAP expenditure in the UK, (b) the UK Exchequer funded element of CAP expenditure, and (c) national expenditure on other agricultural grants and subsidies, for the financial years 1996–97 to 2000–01.

£ million

	Total CAP expenditure in the UK	*-of which: UK Exchequer funded*	*Other national expenditure on agricultural grants and subsidies*
1996–97	4,203	75	40
1997–98	3,455	91	37
1998–99	3,350	105	26
1999–2000	2,992	139	30
2000–01	3,005	144	34

Note:
The second column of data does not include the UK Exchequer contribution to expenditure on HLCA's (Hill Livestock Compensatory Allowances), although total expenditure on HLCA's is included in the first column.

Flooding

Mr. Ian Taylor: To ask the Minister of Agriculture, Fisheries and Food what steps are being taken to *(a)* compensate and *(b)* assist riparian owners for repair and maintenance of river banks and islands for damage caused by flood water. [156437]

Mr. Morley *[holding answer 2 April 2001]:* The repair and maintenance of watercourses and surrounding land is the responsibility of the riparian owner, though on some rivers such work is undertaken by the relevant flood defence operating authority, that is the Environment Agency, local authority or internal drainage board.

Veterinary Service

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* vets and *(b)* support staff there were in the veterinary service in (i) 1971, (ii) 1979, (iii) 1997 and (iv) 2001. [156467]

Ms Quin *[holding answer 2 April 2001]:* The number of veterinary surgeons employed by the State Veterinary Service in 1971 could be identified only at disproportionate cost. The other information sought (full-time equivalents) is as follows:

1979—597

1997—289

2001—286[1].

[1] The State Veterinary Service currently employs as permanent staff 286 veterinary surgeons of whom 220 are field veterinary officers.

The numbers of MAFF officials involved in support also could be identified only at disproportionate cost.

Integrated Administration and Control System

Mr. Quentin Davies: To ask the Minister of Agriculture, Fisheries and Food if it is his intention that farmers filing their IACS returns by electronic mail may prevent their names and addresses from being published in commercial directories. [156679]

Ms Quin *[holding answer 3 April 2001]:* IACS applicants are now able to submit their 2001 IACS forms electronically. This new electronic service from MAFF will deliver much more than a simple e-mail. The forms have built in intelligence, which checks the validity and consistency of the data entered, and calculates totals automatically. There is also an on-line help facility which will guide applicants through completion of the forms. We hope this will make it easier and quicker to complete the forms, and at the same time reduce the scope for making errors.

The electronic IACS service is secure. Applicants will only be able to view their own data, and will submit their forms using their own unique digital signature, which also encrypts the data sent. An acknowledgement that their forms have been submitted successfully will be received electronically within minutes.

Data captured for IACS through this new electronic service are subject to the same requirements for confidentiality as the paper IACS forms and we do not publish or otherwise make these details available to commercial interests.

Hill Farm Allowance

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food what factors he took into account in changing the minimum land holding for grant qualification by introducing the hill farm allowance. [156865]

Ms Quin: In deciding to increase the minimum area requirement from 3 ha to 10 ha we took account of comments received during public consultation and of an independent evaluation of the previous hill livestock compensatory allowance scheme. This suggested that very small farms are less in need of aid than farms in higher size categories. They are less likely to be full-time farm businesses and have a significantly higher proportion of occupiers with off-farm income.

WALES

National Health Service

6. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales when he last met the First Secretary to discuss the NHS in Wales. [155497]

Mr. Hanson: My right hon. Friend the Secretary of State and I meet regularly with the National Assembly First Minister and the Assembly Health and Social Services Secretary to discuss the NHS in Wales.

Census

8. **Mr. Randall:** To ask the Secretary of State for Wales what discussions he has had with the Home Secretary and the First Secretary on the census in Wales. [155499]

Mr. Paul Murphy: My right hon. Friend the Secretary of State and I have regular meetings with the First Secretary to discuss a range of subjects, including this one. The census in England and Wales is a matter for my right hon. Friend the Chancellor of the Exchequer and I have therefore had no discussions with the Home Secretary of this issue.

Tourism

9. **Mr. Peter Atkinson:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary with regard to tourism in Wales. [155500]

Mr. Hanson: My right hon. Friend has regular discussions with the First Minister. In light of the current situation with foot and mouth disease, tourism has of course figured prominently in their discussions.

I represent the Wales Office on the Government's rural taskforce, a body on which the Assembly is also represented. As a result of the work of this taskforce, several initiatives have been announced to assist tourism and rural industries more generally where they have been affected by foot and mouth disease.

Foot and Mouth

10. **Mr. Edwards:** To ask the Secretary of State for Wales if he will meet the First Secretary to discuss the outbreak of foot and mouth in Monmouthshire. [155501]

Mr. Paul Murphy: I have regular meetings with my right hon. Friend the First Secretary to discuss a wide range of issues and accompanied him, my hon. Friend for Monmouth (Mr. Edwards) and the Prime Minister to Usk yesterday, where we met representatives of the farming and tourism industries.

20. **Mr. Nicholas Winterton:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary on the impact of foot and mouth disease on the rural economy in Wales. [155511]

26. **Mr. Llwyd:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about the agriculture and tourism industries in Wales; and if he will make a statement. [155517]

Mr. Paul Murphy: I maintain close contact with my right hon. Friend the First Secretary on a variety of issues including foot and mouth disease and last Sunday we jointly visited areas of Wales affected.

My hon. Friend the Under-Secretary of State for Wales is a member of the UK Government rural taskforce set up to examine the effect of the outbreak of foot and mouth disease across the rural economy as a whole. Following the initial meetings of this taskforce, my right hon. Friend the Minister for the Environment announced on 20 March a package of UK wide measures to help businesses cope with the campaign to get the public back to areas of the countryside which they can safely visit and an immediate package of short-term practical help for rural businesses, involving the Small Business Service and the banks. These initiatives are in addition to the £156 million agrimonetary compensation announced by the Government for the sheep, beef and dairy sectors (over the £15 million compulsory agrimonetary aid) and two future years of funding for outgoers under the pig industry restructuring scheme, worth £40 million, which has been made available this year.

In addition, the National Assembly for Wales has already issued a Tourism Charter and announced a £1.5 million marketing package through the Wales Tourist Board aimed at reassuring visitors to Wales. The Assembly has also made available £12 million to local authorities to enable them to grant rate relief to businesses affected by foot and mouth disease, £1 million additional funding to help the agri-food sector in Wales recover from the effects of foot and mouth disease, and £0.5 million to match pound for pound voluntary donations from the public to help relieve rural distress.

24. **Mr. Grieve:** To ask the Secretary of State for Wales what discussions he has had with the Welsh Agriculture Secretary with regard to foot and mouth disease in Wales. [155515]

Mr. Paul Murphy: I have had regular discussions recently with the Welsh Agriculture Secretary with regard to the impact of foot and mouth disease in Wales and last Sunday he and I visited affected areas in Wales with the National Assembly First Secretary.

All efforts are focused on taking action to ensure the disease is contained and eradicated as quickly as possible. The action that is being taken is severe but the best way to beat the outbreak.

25. **Mr. Paice:** To ask the Secretary of State for Wales what discussions he has had with the Secretary of State for the Environment, Transport and the Regions with regard to foot and mouth disease in Wales. [155516]

Mr. Paul Murphy: I maintain close contact with my right hon. Friend the Secretary of State for the Department of the Environment, Transport and the Regions on a variety of issues.

My hon. Friend the Under-Secretary of State for Wales is a member of the UK Government rural taskforce, chaired by the Minister for the Environment, set up to examine the effect of the outbreak of foot and mouth disease across the rural economy as a whole.

27. **Mr. Laurence Robertson:** To ask the Secretary of State for Wales what recent discussions he has had with the Minister for Agriculture about outbreaks of foot and mouth disease in Wales. [155518]

Mr. Paul Murphy: I maintain close contact with my right hon. Friend the Minister for Agriculture in regard to outbreaks of foot and mouth disease in Wales.

Our strategy is still to ensure that all animals on infected farms are culled within 24 hours of report and animals on neighbouring farms culled within 48 hours. All efforts are focused on taking action to ensure the disease is contained and eradicated as quickly as possible. The action that is being taken is severe but the best way to beat the outbreak.

Corus (Redundancies)

11. **Mr. Barry Jones:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning estimates of the number of redundancies proposed by Corus in Wales; and if he will make a statement. [155502]

Mr. Paul Murphy: I have met the First Secretary regularly over the past few weeks to discuss issues facing the steel industry in Wales, including the threat of closures and redundancies at Corus plants in Wales.

I welcome the outcome of last week's discussions between Corus and the trade unions. The Government have indicated their willingness to support a scheme of retraining by approaching the European Commission and other member states for their approval.

Trunk Roads

12. **Mr. Paterson:** To ask the Secretary of State for Wales when he last met the First Secretary to discuss trunk roads in Wales. [155503]

Mr. Hanson: Welsh trunk roads are a matter for the National Assembly for Wales, in discussion with the lead Whitehall Department in cases where decisions affect communities on the English/Welsh border.

Although my right hon. Friend has regular discussions with the First Minister on transport issues and I have regular meetings with the National Assembly Minister for the Environment and Transport, we would only become directly involved in trunk road matters if we were asked to intervene to help resolve a difficulty.

Waste Incinerator (Wrexham)

13. **Mr. Stephen O'Brien:** To ask the Secretary of State for Wales if he will make a statement on the effect on people living in Cheshire of the proposals for a waste incinerator at Wrexham. [155504]

Mr. Paul Murphy: Any planning proposal is rightly a matter for the relevant local authority. In certain circumstances, such planning applications may be called in by the National Assembly for Wales.

I understand that the public inquiry on this application took evidence from a significant number of individuals and groups on all aspects of the case and that views of Cheshire residents were well represented.

Hospital Waiting Lists

14. **Mr. Rowe:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary with regard to the progress of the Government's policy on reducing hospital waiting lists. [155505]

Mr. Hanson: My right hon. Friend the Secretary of State and I meet regularly with the National Assembly First Secretary and the Assembly Health Minister to discuss the NHS in Wales.

Like the Government, the National Assembly is making the reduction of waiting lists a priority but it is for them to decide how they go about it. Significant funding has been allocated for this purpose and last year the Assembly Health Secretary set targets for health authorities to meet.

Welsh Language (Departmental Policy)

15. **Mr. Ian Bruce:** To ask the Secretary of State for Wales what his policy and practice is on the use of the Welsh language for official purposes within his Department. [155506]

Mr. Paul Murphy: The Wales Office is committed to treating the Welsh and English languages on a basis of equality. Office publications, such as the Departmental Report and Service Delivery Agreement, are already made available in both languages. The office will always reply in Welsh to anyone who writes in Welsh and telephone calls in Welsh are always transferred to a Welsh speaker where available. If no Welsh speaker is available at the time of the call, the call can be returned later by a Welsh speaker.

The Wales Office is committed to doing more to provide a fully bilingual service to the people of Wales, and to that end, the office plans to publish a draft Welsh Language Scheme for consultation during 2001.

New Deal

16. **Mr. Michael:** To ask the Secretary of State for Wales what discussions he has had with the Secretary of State for Education and Employment about extending the new deal in Wales. [155507]

Mr. Paul Murphy: I meet regularly with my Cabinet colleagues to discuss a wide range of issues, including the New Deal.

In his Budget statement on 7 March, the Chancellor announced a strengthening of the Government's Welfare to Work Programme through the extension of the already successful New Deal scheme.

The schemes to benefit from this extension will be: New Deal 25+—this will make all over-25s who have been on Jobseekers Allowance for at least 18 months eligible for the New Deal; New Deal for Lone Parents—the extension will potentially help around 50,000 lone parents in Wales; New Deal for Disabled People—which will be extended to all those claiming invalidity benefit.

Pensioners

17. **Mr. Donald Anderson:** To ask the Secretary of State for Wales what discussions he has had with pensioners' organisations in Wales about pensions and benefits for the elderly in Wales. [155508]

23. **Mr. Win Griffiths:** To ask the Secretary of State for Wales what recent discussions he has had with pensioners' organisations in Wales about pension levels and take-up of the Minimum Income Guarantee. [155514]

Mr. Paul Murphy: I met the National Association of Pensioners in Wales on 7 June last year to discuss pensions, and my hon. Friend the Under-Secretary of State met members of the Age Concern focus groups recently to discuss a range of issues affecting older people in Wales.

This Government are committed to delivering real improvements to ensure that pensioners have a decent and secure income in retirement.

My right hon. Friend the Chancellor announced measures in the Budget that will improve benefits to pensioners and help tackle pensioner poverty.

The basic State pension is rising by £5 per week to £72.50 for a single person and £8 per week to £115.90 for a couple helping all 630,000 pensioners in the region.

The Minimum Income Guarantee, putting a floor under pensioners incomes, is rising to £92 for a single pensioner and £140.55 for couples. This will increase again in April 2003, and will help tackle pensioner poverty in 105,000 pensioner households in Wales. 10,000 more pensioners in Wales will be eligible, and benefits for the 95,000 pensioners currently eligible will be increased.

An increase in age related income tax allowances for pensioners by £240 over and above inflation from April 2003 will benefit half of all pensioner households in Wales: 165,000 households.

Other measures for all pensioners, and particularly help for the poorest, includes the free eye tests, Winter Fuel Payments and the reduction in VAT on fuel to 5 per cent.

SMEs

18. **Mr. Bercow:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about small and medium-sized businesses in Wales. [155509]

Mr. Paul Murphy: I regularly meet the First Secretary and discuss a range of issues.

The Chancellor's Budget announced on 7 March 2001 a package of measures such as help to manage SMEs entry into the VAT system, reduce burdens and improve their cash flow, which will benefit many of the 140,000 SMEs in Wales.

Additionally, the Small Business Council is currently holding events in town halls across the UK with the aim of listening to business and its concerns.

European Funding

19. **Mr. Rowlands:** To ask the Secretary of State for Wales when he intends to meet the chief executive of the Wales European Funding Office to discuss the implementation of Objective 1 programmes. [155510]

Mr. Paul Murphy: I last met with John Clark, the Chief Executive of the Wales European Funding Office, on 29 January 2001. I was pleased to learn that WEFO are making good progress in implementing Objective 1 in Wales and that utilisation of the programme has been achieved faster in Wales than anywhere else in the UK. Importantly, this has been achieved in Wales through a partnership between private, public and voluntary sectors.

A total of 190 projects have been approved so far under the Objective 1 programme, with Structural Funds support of £146.1 million.

Schools Funding

21. **Ann Clwyd:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary of the National Assembly about direct payments to head teachers in Wales, as announced in the Budget. [155512]

Mr. Paul Murphy: I meet the First Secretary on a regular basis and we discuss a range of issues.

My hon. Friend and I are very pleased that Wales will receive an additional £100 million over the next three years as a result of the Budget's additional spending on key public services. It will of course be for the Assembly to allocate the funds according to its own priorities.

Manufacturing Industry

22. **Mr. Flynn:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary on proposals to assist redundant manufacturing workers. [155513]

Mr. Paul Murphy: I meet the First Secretary regularly and discuss a wide range of issues including manufacturing.

The Prime Minister confirmed on 14 March that areas that have been affected by large scale redundancies will be helped by a job transition service (JTS). This JTS will focus on matching skills of those made jobless to the jobs offered in the changing economy.

In addition, areas affected by steel and other significant job losses currently have access to an on-site jobshop to offer help with all aspects of job search, training and benefits advice, staffed by the Employment Service Rapid Response Unit.

Welsh Language

28. **Mr. Mackinlay:** To ask the Secretary of State for Wales what advice and assistance his Department gives to EU applicant countries within whose boundaries there are linguistic minorities, about his programmes to protect and promote Welsh; and if he will make a statement. [155519]

Mr. Paul Murphy: The UK Government are always ready to consider sympathetically requests for assistance from applicant countries. So far, my Department has not received any requests for advice in respect of the position of minority languages. Should we do so, I would be very happy to share our experience of Welsh language policy.

TREASURY

Ministerial Visits (Peterborough)

Sir Brian Mawhinney: To ask the Chancellor of the Exchequer if he will list the Ministers in his Department who visited any of the constituencies which are in the Peterborough unitary authority area between 1 January 2000 and 14 February 2001, indicating in each case *(a)* the date of the visit, *(b)* the constituencies included in the visit and *(c)* if the local hon. Member met the Minister. [151035]

Mr. Timms *[holding answer 26 February 2001]:* I visited Peterborough on 22 January 2001. During the course of my visit I met the hon. Member for Peterborough, (Mrs. Brinton). There were no other visits to the area during this period by Treasury Ministers on Government business.

CABINET OFFICE

Civil Service Salaries

Dr. David Clark: To ask the Minister for the Cabinet Office what the average percentage increase in the salaries of members of the Senior Civil Service is in the current financial year. [156726]

Mr. Ian McCartney: The average individual award from 1 April 2000 was 4.8 per cent. Figures for April 2001 are not yet available.

People's Panel Support Group

Dr. David Clark: To ask the Minister for the Cabinet Office when the People's Panel Support Group last met. [156728]

Mr. Ian McCartney: The People's Panel Support Group last met on 16 June 2000. A meeting scheduled for 17 October 2000 had to be cancelled when key members of the group were unable to attend.

A full evaluation of the people's panel is under way. Further meetings of the support group are planned for when its results are available.

Important reports from the panel over the last 12 months include research into putting consumers at the heart of public services, attitudes to public services in deprived areas, public services and ethnic minorities and extended opening hours.

Departmental Policies (Blackpool, South)

Mr. Gordon Marsden: To ask the Minister for the Cabinet Office if she will set out, including statistical information relating as directly as possible to the constituency, the effect on the Blackpool, South constituency of her Department's policies and actions since 2 May 1997. [142232]

Mr. Stringer: The Cabinet Office is responsible for a range of functions which cover England as a whole, or in relation to non-devolved matters, Great Britain or the United Kingdom. It is therefore not possible to say what their specific impact is on a particular constituency. Additionally, any policy changes arising from reports from Cabinet Office units, such as the Social Exclusion Unit and the United Kingdom Anti-Drugs Co-ordination Unit, are implemented by the appropriate Government Department rather than by the unit itself.

HEALTH

BSE (France)

Mr. Yeo: To ask the Secretary of State for Health if he will make a statement on research conducted by Dr. Christl Donnelly on the incidence of BSE in France. [144334]

Ms Stuart: We welcome the research by Dr. Donnelly, of Imperial College, London, which was published in *Nature* on 14 December. It is important that decisions on food safety are based on sound science.

Dr. Donnelly's research showed that, if the United Kingdom's ban on the sale for human consumption of beef from animals aged over 30 months at time of slaughter is enforced, and if the French Government's controls on cattle feed have eliminated the feed-borne transmission of BSE to French cattle born after mid-1996, there is virtually no risk from French beef consumed in the UK.

The research found that even if enforcement was only 75 per cent., the risk from French beef would be comparable to that from UK beef.

OTM Beef

Mr. Yeo: To ask the Secretary of State for Health, pursuant to the statement by the Minister of State, Ministry of Agriculture Fisheries and Food, the right hon. Member for Gateshead, East and Washington, West (Ms Quin) of 21 December 2000, *Official Report*, column 558, if he will publish the evidence on which the Minister based her claim that over-30-month beef is not used in processed products sold in Britain. [146430]

Ms Stuart *[holding answer 22 January 2001]:* My right hon. Friend did not claim that, but referred to signs from manufacturers and retailers that they were using beef from cattle that were not over 30-months-old at slaughter. This information had been obtained by the Food Standards Agency and by local authorities in connection with increased enforcement checks on compliance with the generally applicable ban on the sale for human consumption of beef from cattle aged over-30-months at slaughter (the OTM rule). The Meat Hygiene Service and local authorities were required to carry out those checks by the FSA from last November. High levels of compliance were found and some companies changed their procurement arrangements to ensure that appropriate supplier documentation confirmed compliance with the OTM rule.

Broiler Chickens

Mr. Etherington: To ask the Secretary of State for Health how many broiler chickens slaughtered in the United Kingdom were rejected as unfit for human consumption in 1999. [150184]

Ms Stuart: I am informed by the Food Standards Agency that responsibility for the enforcement of meat hygiene legislation in licensed poultry slaughterhouses in Great Britain rests with the Meat Hygiene Service (MHS), and in Northern Ireland with the Department of Agriculture and Rural Development.

Information relating to Great Britain is not available in the form requested as MHS data are based on cause of condemnation rather than whether the carcase was partially or fully condemned. However, it is estimated that in 1999, approximately 6.6 million whole carcases from poultry weighing under 2kg (a category that includes broiler chickens, cast hens and other poultry) were condemned as unfit for human consumption post-slaughter. This represents approximately 1 per cent. of the total throughput of poultry weighing under 2kg slaughtered in Great Britain during that period.

In Northern Ireland, 62.3 million broiler chickens were slaughtered during 1999, of which 0.6 million were subsequently rejected as unfit for human consumption.

Correspondence

Mr. Tony Lloyd: To ask the Secretary of State for Health when his Department first contacted the hon. Member for Manchester, Central concerning his letter of 3 August 2000 regarding catering services for Manchester Central Healthcare Trust; and if he will make a statement. [150134]

Ms Stuart *[holding answer 13 February 2001]:* A reply to my hon. Friend's letter of the 3 August was sent on 29 March 2001. A letter from the Department's Permanent Secretary/Chief Executive was also enclosed apologising for the unacceptable delay.

Mr. Laurence Robertson: To ask the Secretary of State for Health when he expects to respond to the letters from Mr. D. Wardell of Woodmancote, Gloucester, dated 30 November 2000 and 31 December 2000, on the subject of the use of mobile phones. [151362]

Ms Stuart *[holding answer 26 February 2001]:* A reply was sent direct to Mr. Wardell on the 6 March 2001. As both letters were relating to the same issue, one reply was sent to cover the two letters.

Cancer Treatment (Battersea)

Mr. Linton: To ask the Secretary of State for Health what action the Government have taken to improve accessibility to cancer treatments for patients in Battersea. [151153]

Yvette Cooper: The local primary care group is working actively to improve diagnosis of cancer and improve screening rates. Battersea residents will benefit from our plan to reduce cancer waiting times through the creation of clinical networks and through investment in better equipment.

New Cancer Equipment

St. George's—one breast screening trailer (£69,000), six pieces of mammography equipment (£250,000).

St. Thomas—one magnetic resonance imaging (MRI) scanner (£851,000), two linear accelerators (£1.3 million).

Royal Marsden—one MRI scanner (£815,000), two linear accelerators (£1.3 million).

Ambulance Staff

Mr. Ben Chapman: To ask the Secretary of State for Health what plans he has to provide driver 2 training under blue lights for ambulance operational staff. [155787]

Ms Stuart: It is the responsibility of each ambulance trust to ensure that all staff who drive emergency vehicles are competent to do so. These staff must successfully complete a nationally recognised training course and should gain supervised driving experience under blue light conditions, before commencing full front-line duties.

The Driving Standards Agency (DSA) is currently looking at the core competencies required for driving various kinds of emergency vehicles under blue light conditions. Any changes recommended by the DSA will be incorporated into the ambulance driver-training programme.

Opinion Polling

Mr. St. Aubyn: To ask the Secretary of State for Health what *(a)* quantitative and *(b)* qualitative analytical work his Department has commissioned from GGC/NOP since 1 May 1997; and what was (i) the cost of the contract and (ii) the specific nature of the work commissioned. [155664]

Ms Stuart *[holding answer 28 March 2001]:* The table shows quantitative and qualitative analytical work commissioned direct by my Department and via the Central Office of Information from GGC/NOP since 1 May 1997.

We are committed to consulting and involving the public to help inform both policy formulation and the delivery of a better quality public service. Responsive public services are an important part of the modernising government initiative.

We conduct or commission market or opinion research only when it is justified by the needs of the policy or programme and is the most economical, efficient and effective way to achieve the purpose.

Nature of work	*Commissioned by*	*Type*	*Cost (£)*
1997–98			
National Health Service White Paper research—advice on public attitudes towards the NHS to allow the identification of areas of greatest importance for public opinion	Press and Publicity Division	Qualitative	33,840
1999–2000			
Research to develop National Drugs Helpline (NDH) campaign	Communications (COMMS)	Qualitative	19,390
Survey of pharmacists and GPs re: 'Get The Right Treatment' campaign	COMMS	Quantitative	16,130
Further research to develop NDH campaign	COMMS	Qualitative	22,850
1999–2000/2000–01			
Evaluation of pilot chlamydia screening programme included surveys by NOP on: Public awareness of chlamydia. Experience of professionals participating in the pilot. Experience of screening participants	Public Health Group	Quantitative	112,000
2000–01			
Benchmark survey of young people re: NDH campaign	COMMS	Quantitative	30,000
Further research with health professionals re: 'Get The Right Treatment' campaign	COMMS	Quantitative	50,470

Ambulance Service

Mr. Ben Chapman: To ask the Secretary of State for Health what plans he has to reduce the retirement age of operational staff in the Ambulance Service. [156168]

Ms Stuart: There are no plans at this time to reduce the retirement age of operational ambulance staff.

Statutory Instruments

Jane Griffiths: To ask the Secretary of State for Health how many statutory instruments were laid before Parliament by his Department each year from 1993 to 1998, inclusive. [156522]

Ms Stuart: The number of Statutory Instruments (SIs) laid before Parliament by the Department each parliamentary session from 1992–93 to 1997–98 inclusive is set out in the table.

BEST COPY AVAILABLE

Parliamentary session	Number of SIs laid before Parliament
1992–93	165
1993–94	228
1994–95	165
1995–96	127
1996–97	45
1997–98	148

Nursing Care (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Health how many people will benefit from the planned free nursing care in nursing homes in Shrewsbury and Atcham; and if he will make a statement. [156496]

Mr. Hutton: An estimated 220 people will benefit from the planned free nursing care in nursing homes in Shrewsbury and Atcham[1]. The Health and Social Care Bill, which has now cleared the House of Lord's Committee stage, will ensure that in future everyone who needs care from a registered nurse will have it paid for by the national health service.

[1] Source—Shropshire County Council Social Services Department—data relate to self-funding residents in nursing homes in the Shrewsbury and Atcham locality

Food Supplements

Mr. Nicholas Winterton: To ask the Secretary of State for Health (1) what steps his Department has taken to ensure continued free access to food supplements; and if he will make a statement; [156693]

(2) what his policy is on the proposed EU food supplement directive; and if he will make a statement; [156690]

(3) what assessment he has made of differing regulatory structures present in the European food supplements market; and what assessment he has made of the level of restriction imposed in EU member states; [156692]

(4) what action his Department has taken to re-evaluate the current regulatory structure relating to food supplements; and what steps his Department has taken to ensure the proper communication to the consumer of the health benefits of food products; [156695]

(5) what recent representations he has received relating to the proposed EU food supplement directive and its impact on the free access to food supplements; [156688]

(6) what steps he has taken to maintain safety as the basis for free access to food supplements, regulated under food law; [156694]

(7) if he will make a statement on his Department's approach to the harmonisation of the food supplement market; and on what basis of definition harmonisation is to be achieved. [156691]

Ms Stuart: We accept there is a need for European Union rules on food supplements to tackle trade problems. This is because member states have a range of regulatory systems, with differing requirements. Generally these are more restrictive than the United Kingdom's safety based approach. We are pressing for a safety based approach to regulation of these products at EU level, in the interests of maintaining consumer choice.

The Food Standards Agency (FSA), which is representing the Government in negotiations for harmonised EU legislation on food supplements, has consulted interested parties on the effects of the Commission's proposal. Representations have been received from consumer organisations, individuals, nutrition therapists and professional public health groups, food supplement manufacturers and their trade associations, retailers and enforcement bodies. All these groups support our view that the market should be open to products which are safe and properly labelled. A number of consultees have pointed out that the proposed legislation could significantly restrict the range of vitamin and mineral substances which could be used in food supplements, and the availability of high dose supplements. We are pressing for amendments to the draft directive to take into account the wide range of safe products available in the UK.

Clear, accurate labelling is essential to help consumers make informed choices. The FSA is pressing for a number of improvements to EU food labelling rules. These include mandatory, easy to use nutrition labelling and an effective and practical system for the verification and approval of health claims at EU level. The agency is also calling for the arrangements for health claims to allow the use of disease risk reduction claims where they are valid and presented in an appropriate context.

Medicinal Products

Mr. Nicholas Winterton: To ask the Secretary of State for Health what assessment he has made of the proposed EU Directive for traditionally used medicinal products; and what representations he has received on the matter. [156689]

Ms Stuart: A letter dated 18 December 2000 from the Medicines Control Agency (MCA) to the European Commission (EC) set out the United Kingdom's comments on the preliminary draft of the directive on traditional medicinal products. The MCA has recently received from the EC a second draft of the directive, due to be discussed at the meeting of the European Pharmaceutical Committee on 5 April. Copies of both documents have been placed in the Library. Representations on the directive have been received mainly during the regular dialogue the MCA holds with representatives of herbal interest groups. These constructive discussions have covered most aspects of the directive, including the possible criteria for assessing traditional use, the position of non European herbal traditions, and aspects of safety, quality and information to the consumer.

Oxted and Limpsfield War Memorial Hospital

Mr. Peter Ainsworth: To ask the Secretary of State for Health what plans he has to defer possible sale of land at Oxted and Limpsfield war memorial hospital until the outcome of the present inquiry by the ombudsman is known. [156665]

Ms Stuart *[holding answer 2 April 2001]:* Surrey and Sussex Healthcare National Health Service trust will not consider the sale until after the outcome of the ombudsman's inquiry is known and the full business case has been considered by the south-east regional office of the NHS Executive.

Mr. Peter Ainsworth: To ask the Secretary of State for Health what measures he is taking to ensure the physical security of Oxted and Limpsfield war memorial hospital. [156663]

Ms Stuart *[holding answer 2 April 2001]:* The physical security of the Oxted and Limpsfield war memorial hospital is the responsibility of the Surrey and Sussex Healthcare National Health Service trust. The trust is in the process of implementing a number of measures which are aimed at ensuring the external and internal security of the hospital and these should be completed by 6 April 2001.

Mr. Peter Ainsworth: To ask the Secretary of State for Health when he intends to reply to the letters of 7 February and 21 March regarding Oxted and Limpsfield war memorial hospital from the hon. Member for East Surrey. [156664]

Ms Stuart *[holding answer 2 April 2001]:* A reply to the hon. Member's letter of 7 February was sent on 27 March 2001. The letter dated 21 March 2001 was received by the Department on 27 March 2001. The issues raised are currently being considered with a view to a reply being dispatched within the Department's service first target of reply to all correspondence within 20 days.

National Alcohol Strategy

Mr. Baker: To ask the Secretary of State for Health when he will publish the national alcohol strategy. [156875]

Ms Stuart: We remain committed to the publication of a cross-government strategy to tackle alcohol misuse, and we are working with key stakeholders across government, the alcohol field and the alcohol industry to ensure that this commitment is delivered.

The NHS Plan, published in July 2000, said that the Department would be implementing the strategy by 2004. The Department expects to publish a consultation paper in due course.

Mr. Baker: To ask the Secretary of State for Health what steps the Government are taking with regard to the advertising of alcoholic drinks targeted at those under 18; and if he will make a statement on the arrangements for self-regulation in the alcoholic drinks industry. [156874]

Ms Stuart: The Government and the drinks industry are concerned about advertisements for alcohol drinks which are targeted specifically at people under the age of 18. There are voluntary codes of practice drawn up by the drinks industry, the Advertising Standards Association and other media organisations which ban advertising aimed at children and younger people.

Written Answers to Questions

Thursday 5 April 2001

TREASURY

IR35

Dr. Cable: To ask the Chancellor of the Exchequer what assessment he has made of the additional costs of benefit entitlements by contractors deemed to be employees under IR35. [157110]

Dawn Primarolo: IR35 does not affect the employment rights of any worker employed through a personal service company in any way.

Dr. Cable: To ask the Chancellor of the Exchequer what revisions he plans to make to the Inland Revenue rules consequent upon the judgment of the IR35 case. [157099]

Dawn Primarolo: The court dismissed the challenge to the legislation on service provision by intermediaries. The Inland Revenue will review the guidance material used by its staff regarding the interpretation of the law.

Foster Carers

Dr. Cable: To ask the Chancellor of the Exchequer what response the Inland Revenue has made to the representations from foster carers' organisations and the Department of Health regarding its proposals for taxing payments to foster carers. [157067]

Dawn Primarolo: The Inland Revenue is working with the Department of Health and a number of organisations representing foster carers to design a simple method by which foster carers can choose to calculate the income tax due on the reward element of their payments using standard, agreed, costs. Alternatively, foster carers would be able to rely upon actual costs. The Inland Revenue plans to introduce the new arrangements as soon as practicable. In the interim, the Inland Revenue will maintain existing agreements for calculating the reward element of payments, in accordance with representations made by care organisations.

Foot and Mouth

Mr. Flynn: To ask the Chancellor of the Exchequer what estimate he has made of the *(a)* maximum and *(b)* minimum total cost to public funds of the foot and mouth outbreak. [157007]

Mr. Andrew Smith: The Treasury, MAFF and other interested Departments are keeping a range of possible outcomes under review. At this stage it is not possible to estimate the final cost of the outbreak with any reliability.

Customs and Excise

Mr. Welsh: To ask the Chancellor of the Exchequer how many people were employed *(a)* full-time and *(b)* part-time with HM Customs and Excise in (i) Scotland and (ii) the UK in 1999–2000 and 2000–01. [155305]

Dawn Primarolo *[holding answer 23 March 2001]:* Staff in post figures for Customs and Excise are published in the Cabinet Office's "Civil Service Staff in Post" summaries, copies of which are in the Library.

In 1999–2000 there were an average of 1,322 full-time and 80 part-time staff employed in Scotland by HM Customs and Excise. The equivalent figures for the UK were 21,522 full-time and 2,029 part-time.

For 2000–01, Scotland had an average of 1,206 full-time and 87 part-time staff. In the UK as a whole 20,965 full-time and 2,133 part-time staff were employed.

Mr. Welsh: To ask the Chancellor of the Exchequer how many *(a)* personal computers, *(b)* printers, *(c)* fax machines, *(d)* servers and *(e)* vehicles were based in HM Customs and Excise in (i) Scotland and (ii) the UK in the years 1999–2000 and 2000–01. [155306]

Dawn Primarolo *[holding answer 23 March 2001]:* The information is as follows:

	Year ending March 2000		*Year ending March 2001*	
	UK	*of which Scotland*	*UK*	*of which Scotland*
Faxes	775	123	801	80
Personal Computers	18,533	1,084	19,615	1,097
Printers	4,792	225	4,536	168
Servers	533	34	389	32
Vehicles:				
Cars	1,595	65	1,780	79
Commercial	57	5	77	5

Note:
The reduction in the number of printers and servers recorded in March 2001 are as a result of the efficiency savings implemented by ICL.

Mr. Alan Simpson: To ask the Chancellor of the Exchequer how many full-time equivalent staff were employed as HM Customs and Excise officers in British *(a)* airports and *(b)* ports in each of the last 10 years. [157033]

Dawn Primarolo: The information in the form requested is not available for previous years.

Currently (April 2000), there are approximately 2,113 Customs and Excise staff working in British airports and 2,109 staff working in British ports.

However, many staff working in customs and anti-smuggling areas are not based at a port or airport, or in the UK. They are excluded from the figures.

Working Families Tax Credit

Mr. Field: To ask the Chancellor of the Exchequer what data he collects on the income distribution of recipients of the Working Families Tax Credit with incomes over £250 per week. [157048]

Dawn Primarolo: The Working Families Tax Credit (WFTC) application form requires applicants to report their earnings, and those of their partner (if any). Statistical analyses of WFTC awards are based on a 5 per cent. sample of awards in Great Britain. Subject to sampling error, this sample can be used to generate information on the number of WFTC recipients according to bands of gross weekly earnings of the main earner.

Mr. Field: To ask the Chancellor of the Exchequer (1) with respect to Table 5.3 of the Working Families Tax Credit Statistics, Quarterly Inquiry, August 2000, what assessment he has made of the factors underlying the average tax credit awards payable to *(a)* managers and administrators and *(b)* taxi drivers; [156833]

(2) if he will list for Table 5.3 of the Working Families Tax Credit Statistics, Quarterly Inquiry, August 2000, the average incomes for each occupation type who are in receipt of tax credits. [156832]

Dawn Primarolo: The table shows the average gross weekly earnings of the main earner in families receiving Working Families Tax Credit at August 2000 and who fall into each of the occupation types listed in the table referred to.

The average gross weekly earnings of main earners who are managers and administrators and included in the table is higher than the overall average, and the average gross weekly earnings of main earners who are taxi drivers is lower.

Average gross weekly earnings of the main earner in families receiving Working Families Tax Credit at August 2000, by occupation of the main earner

	£
All occupations	158
Managers and administrators	174
Professional occupations	188
Associated professional and technical occupations	190
of which:	
Scientific technicians	205
Health and social welfare associate professionals	184
Clerical and secretarial occupations	174
of which:	
Administrative officers below EO grades in Civil Service/ Local Government	208
Clerks and cashiers	163
Receptionists and telephonists	157
Secretaries and typists	181
Other clerical occupations	183
Craft and related occupations (non-managerial workers)	172
of which:	
Construction trades, skilled workers	171
Metal working, skilled workers	178
Food preparation trades	146
Personal and protective services	131
of which:	
Chefs and cooks	124
Hotel porters, kitchen porters, catering assistants, counter hands etc.	118
Health and childcare occupations	143
Domestic staff	131
Cleaners, domestics, window cleaners and road sweepers	112
Sales occupations	134
of which:	
Sales assistants	127
Sales occupations	145
Plant and machine operatives	169
of which:	
Assemblers/lineworkers on electrical/electronic goods, cars, packers, bottlers, graders, sorters etc.	178
Transport and machinery operatives	203
Taxi-drivers	100
Other occupations	179

Mr. Cotter: To ask the Chancellor of the Exchequer what the waiting time is for receipt of Working Families Tax Credit application forms following an initial request. [156971]

Dawn Primarolo: The Working Families Tax Credit helpline aims to send out application packs to callers within 48 hours of a request being made to it. It sends out application packs by first-class post, and is currently up to date processing such requests.

Fiscal Intervention

Mr. Bercow: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Rochford and Southend, East (Sir T. Taylor) of 7 December 2000, *Official Report*, column 2W, on fiscal intervention, what the average price per ounce was of gold at each phase of the gold sell-off; what quantity was sold at each phase; and what quantity of euros were bought. [157028]

Miss Melanie Johnson: The results of the 11 bimonthly gold auctions held since July 1999, including the allotment price per ounce and the amount of gold allotted, are published in Bank of England Press Notices issued on the day of each auction. Copies of the Press Notices have been placed in the House of Commons Library and can be found on the Bank of England's website (www.bankofengland.co.uk).

E-Commerce

Mr. Mitchell: To ask the Chancellor of the Exchequer what EU legislation is planned in respect of *(a)* distance marketing of financial services and *(b)* the application of VAT to electronic commerce. [157399]

Miss Melanie Johnson: A proposal from the European Commission for a directive on distance marketing of financial services is currently under discussion in the Council. A proposal from the European Commission to change the VAT rules relating to certain e-commerce supplies is also currently under discussion by member states.

Departmental Policies (Eccles)

Mr. Ian Stewart: To ask the Chancellor of the Exchequer if he will set out, including statistical information relating as directly as possible to the Eccles constituency, the effects on Eccles of his Department's policies and actions since 2 May 1997. [157287]

Miss Melanie Johnson: Eccles, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure and stable levels of growth and employment. Since the General Election, claimant unemployment in the constituency has fallen by 812, or 36 per cent., youth unemployment is down by 78 per cent., and long-term unemployment has fallen by 78 per cent.

Macroeconomic stability is being complemented at the microeconomic level by the Government's policies to ease the transition from welfare to work and to make work pay. To the end of January 2001, the New Deal for 18 to 24-year-olds had helped 843 young people in Eccles constituency gain valuable skills and experience—419 (50 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in

October 1999, is helping to make work pay for low and middle income families. In August 2000, 2,800 families in the constituency were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 17,500 in Eccles, are receiving an above-inflation increase in the basic state pension from April 2001. Single pensioners receive an extra £5 a week, and couples receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 7,500 in Eccles.

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157130]

Miss Melanie Johnson: Amber Valley, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the general election, claimant unemployment in the constituency has fallen by 516, or 25 per cent., youth unemployment is down by 87 per cent., and long-term unemployment has fallen by 60 per cent.

Macroeconomic stability is being complemented at the microeconomic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of January 2001, the New Deal for 18 to 24-year-olds had helped 789 young people in Amber Valley constituency gain valuable skills and experience—406 (51 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle income families. In August 2000, 2,200 families in the constituency were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 17,100 in Amber Valley, are receiving an above-inflation increase in the basic State Pension from April 2001. Single pensioners receive an extra £5 a week, and couples receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 7,500 in Amber Valley.

VAT Fraud

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the cost to his Department in each year since 1997 of complex VAT fraud; and if he will make a statement. [156899]

Dawn Primarolo: No such estimate is available, relating specifically to the costs to Customs and Excise of complex VAT fraud in each year since 1997.

Financial Services Act

Mr. Oaten: To ask the Chancellor of the Exchequer how many contraventions of *(a)* section 3 and *(b)* section 47 of the Financial Services Act 1986 have been referred to the (i) police and (ii) High Court since April 1998. [154997]

Miss Melanie Johnson *[holding answer 22 March 2001]:* The information requested is not available and could be obtained only at disproportionate cost.

Asbestos-related Diseases

Mr. Worthington: To ask the Chancellor of the Exchequer what decisions were made at the meeting of the Policyholders Protection Board on 21 March which will have implications for sufferers of asbestos-related diseases. [156478]

Miss Melanie Johnson: *[holding answer 3 April 2001]:* I understand that the board has been working very closely with the run-off management of Chester Street Insurance Holdings Limited, and subsequently with the scheme administrators. I am informed that, at its meeting on 21 March, the board decided that payments should be made as soon as possible to Chester Street policyholders whose eligibility for protection under the Policyholders Protection Act 1975 is established.

TRADE AND INDUSTRY

Digital Television

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry when he expects to receive the Office of Fair Trading's report into BSkyB; and what his Department's policy is on promoting choice and competition within the digital television market. [R] [157041]

Dr. Howells: The Office of Fair Trading inquiry into the activities of BSkyB was made under the Competition Act 1998. My right hon. Friend the Secretary of State for Trade and Industry will not therefore receive a formal report at the end of the process. The Director-General of Fair Trading will, however, keep my right hon. Friend informed of key developments. The Director-General expects to reach a view on whether or not an infringement decision should be issued against BSkyB by this summer.

The Department of Trade and Industry supports choice and competition within the digital television market by supporting the development of all three digital platforms; cable, satellite and terrestrial.

Aiwa Factory, Newbridge

Mr. Evans: To ask the Secretary of State for Trade and Industry (1) what representations he has received on the prospect of job losses at the Aiwa factory in Newbridge in Wales; [156576]

(2) what representations he has received from the owners of Aiwa on the prospect of job losses at the Aiwa factory in Newbridge in Wales. [156578]

Ms Hewitt *[holding answer 2 April 2001]:* I have not received any representations in respect of the prospect of job losses at the Aiwa factory in Newbridge in Wales.

With the transfer of devolved powers to the National Assembly for Wales, such representations would be referred to it.

I understand that the company has issued a press statement rebutting the press reports of possible job losses at Newbridge.

BEST COPY AVAILABLE

Officials at the WDA, DTI and our embassy in Tokyo are in close contact with the company and are monitoring the situation closely.

Partnerships

Mr. Goggins: To ask the Secretary of State for Trade and Industry if he plans to consult on the removal of the 20 partner limit on partnerships. [157149]

Mr. Byers: I am pleased to announce to the House that I have today published a consultation document proposing the removal of the 20 partner limit on partnerships.

Consultation on the abolition of the limit on the number of partners allowed in a partnership was announced as one of the Government's measures to reduce the red-tape on business by means of a Regulatory Reform Order. The removal of the 20 partner limit is a deregulatory measure that will ease the administrative burdens on larger partnerships that wish to expand.

Copies of the consultation document have been placed in the Libraries of the House.

Marks and Spencer Call Centre (Warrington)

Helen Jones: To ask the Secretary of State for Trade and Industry what steps he is taking to assist staff affected by the proposed closure of the Marks and Spence Call Centre and Fulfilment operations in Warrington; and if he will make a statement. [156983]

Ms Hewitt: The Northwest Development Agency has met the local management team at Marks and Spencers in Warrington and discussed possible assistance, including access to the Rapid Response Fund. Other partners, including the Employment Service, Cheshire and Warrington Local Learning and Skills Council and Warrington Borough Council are also ready to provide support and guidance to staff affected.

Britain-Israel Technology Fund

Ms Perham: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of Britech. [156388]

Mr. Caborn *[holding answer 2 April 2001]:* The Britain-Israel Technology Fund—"Britech"—was established by an intergovernmental agreement between the UK and Israel and each country is contributing £7.75 million over five years. It is being administered by The Britech Foundation Limited, which was incorporated in the UK on 27 October 1999 and has offices in both countries. To date six projects have been fully approved and £1.9 million funds committed; seven projects are under consideration; and a further nine project proposals are being finalised.

DEFENCE

Defence Medical Services

Ms Rosie Winterton: To ask the Secretary of State for Defence if he will make a statement about the pay of medical and dental officers in the armed forces. [157531]

Mr. Hoon: The Supplement to the 2001 Report of the Armed Forces' Pay Review Body making recommendations on the pay of Service medical and dental officers has been published today. Copies of the Supplement are available in the Vote Office and the Library of the House. I wish to express my thanks to the Chairman and members of the Review Body for their work in producing this Supplement.

In line with the increase recommended by the Doctors' and Dentists' Review Body, the Review Body recommends an overall pay increase for Defence Medical Services medical and dental officers of 3.9 per cent. The Review Body also recommends a 6.2 per cent. increase for certain categories of junior doctors and a 4.2 per cent. increase for general medical practitioners, inclusive of the overall 3.9 per cent. increase. In addition, there are recommendations for additional payments to general medical and general dental practitioners' pay scales.

The additional cost to the Defence Budget will be £4.5 million. This will be met within existing departmental expenditure limits.

The Review Body's recommendations are to be accepted in full, with implementation effective from 1 April 2001.

Defence Evaluation and Research Agency

Mr. Duncan Smith: To ask the Secretary of State for Defence in what circumstances his Department will be reimbursed by the Treasury in the event of *(a)* a delay in and *(b)* cancellation of the New DERA flotation. [154164]

Mr. Hoon *[holding answer 16 March 2001]:* The Ministry of Defence will receive a credit to the Defence Budget of at least £250 million in financial year 2001–02 in respect of the Public Private Partnership for DERA. This does not depend on whether the transaction has taken place, nor does the amount give an indication of the likely value of New DERA.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Incinerators

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many dioxin tests have been conducted on *(a)* Byker employees and *(b)* employees working at other incineration plants since 1979; and if he will place the results in the Library; [155383]

(2) how many dioxin tests have been conducted on employees working on the demolition of incineration plants since 1979; and if he will place the results in the Library; [155384]

(3) if he will list the studies carried out into health of employees who have worked at the Byker incinerator; [155380]

(4) if he will place in the Library a copy of the advice given to Byker employees covering the health effects of working with incinerators. [155385]

Mr. Meacher *[holding answer 23 March 2001]:* The Health and Safety Executive (HSE) has not received any requests from Byker employees or trade unions for advice on the potential health effects of working with incinerators or for requests for studies into the health of employees. HSE considers that the Environment Agency's current legislation is such that the potential exposure of employees to dioxins is very low.

Exposure to dioxins (both environmental and workplace) can be measured using blood tests. Blood tests are invasive and are not normally carried out unless there is a clear need or concern expressed by those involved. They are also time consuming and expensive. Under these circumstances, they are unlikely to yield useful information. Consequently HSE has not carried out dioxin tests on employees at incinerator plants or those involved in the demolition of these plants and does not believe that random blood tests are necessary.

The only health effects from dioxins which could be detected by health checks is the skin condition, chloracne. This only occurs at high exposures, for example as a result of industrial accidents, and consequently checks for this condition would not be of value at exposure levels associated with incinerators.

In the absence of investigations due to accidents, reports of ill health and complaints, HSE's inspectorates carry out its elective work guided by priorities. In 1995 HSE's inspectorate rated the health risks at the Byker plant as 'medium' and on reassessment in 1999 and 2000 as 'low'. The assessment included examination of the general standards of ventilation and cleanliness etc. at this medium-sized plant which employs approximately 20 people. These ratings did not indicate a need proactively to supply information to Byker employees or trade unions on the potential health effects of working with incinerators.

Foot and Mouth

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions if the burial sites *(a)* in use and *(b)* being constructed for the purpose of burying the carcases of animals in connection with the prevention of foot and mouth disease comply with (i) the provisions regarding the protection of groundwater in the EU Groundwater Directive of 1978 and (ii) the provisions of the EU directive on the landfill of waste of April 1999 concerning arrangements for the protection of soil and water via leachate collection and bottom sealing. [156820]

Mr. Meacher: The Government are aware of the need to comply with all relevant EU Directives during the current foot and mouth outbreak. The principal Directive concerning animal burial is the Animal Waste Directive (90/667/EEC), Article 3(2) of which contains requirements for environmental protection. These requirements are met through close co-operation between this Department, MAFF and the Environment Agency, and through the authorisation procedure in the Groundwater Directive. The Agency continues to carry out an assessment of both existing and proposed burial sites and, subject to the risk, authorises the burial imposing any necessary conditions for the protection of groundwater.

London Underground Strike

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from the RMT on the London Underground strike; and if he will make a statement. [156777]

Mr. Hill: I have received no direct representations from the RMT about the Underground strike, which is an operational matter for London Underground.

The Government regret the disruption which Underground passengers will have suffered. The recent strikes have brought unnecessary inconvenience to London. This is not a dispute about safety, which will continue to be overseen by the independent Health and Safety Executive.

Ministerial Discussions

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the RMT on transport issues in the last year. [156778]

Mr. Hill: Ministers have extensive dealings with organisations in both the public and private sectors as part of their official duties, which have included some meetings with the RMT.

It would be impracticable to maintain a central record of such meetings.

Genetically Modified Organisms

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* inspectors and *(b)* inspector hours per year were devoted to inspecting experimental releases of genetically modified organisms in (i) 1996, (ii) 1997, (iii) 1998, (iv) 1999 and (v) 2000 to ensure consent conditions were complied with; how many breaches of consents were detected in these years; and how many resulted in prosecutions. [156463]

Mr. Meacher *[holding answer 2 April 2001]:* The information is given in the table. Figures exclude Scotland from 1 April 2000 as the Scottish Executive have had independent inspection arrangements since then. The Central Science Laboratory (CSL) took over responsibility from HSE for inspections in England and Wales on 1 June 2000.

Inspections of GMO releases 1996 to 2000

	1996	1997	1998	1999	2000
Number of inspectors	1	2	2	1	[1] 1 [2] 5
Days per year spent on inspections	110.75	156.1	132.2	124.7	[1] 73.5 [2] 111
Number of breaches of consent[3]	0	3	5	0	1
Number of prosecutions	0	0	0	2	0

[1] HSE
[2] CSL
[3] The figures reported for 1997 and 1998 show the instances where in the opinion of the HSE inspector releases were not being carried out in accordance with the release consents. Details were provided in my replies of 17 December 1998, *Official Report*, column 630W, and 4 February 1999, *Official Report*, column 720W, to the hon. Member for Lewes (Mr. Baker). Two cases resulted in prosecutions.

The breach of consent in 2000 was reported by Aventis at two of its small-scale research and development trial sites of GM sugar beet (consent reference 00/R33/02). This consent authorised the release of sugar beet plants genetically modified for tolerance to glufosinate herbicide. At the end of the trials approximately 0.5 per cent. of the plants were found to be of a GM line that was also tolerant to the herbicide glyphosate and were not covered by the consent. CSL investigated this matter to ensure that volunteer GM beet plants were controlled and that measures are in place to prevent a recurrence. The Advisory Committee on Releases to the Environment was informed and concluded that there was no increased risk to human health or the environment. Aventis will be required to conduct additional monitoring of the affected sites in 2001.

Green Ministers Committee

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what targets were agreed at the meeting on 19 March of the Green Ministers Committee for *(a)* the purchase of renewable energy by Departments and *(b)* the reduction of water consumption by the Government estate. [156905]

Mr. Meacher: The Green Ministers Committee agreed in principle a target to purchase renewable electricity, the details of which would be pursued through ministerial correspondence. We also agreed the following water targets:

For offices in metered buildings where the Department is sole occupier or is billed the water services charges: all Departments should achieve a maximum level of water consumption equivalent to 11 cubic metres per person (full-time equivalent staff) by 31 March 2002, and a further 30 per cent. reduction over the next two years, achieving a level of 7.7 cubic metres by 31 March 2004.

For other metered buildings (e.g. laboratories, law courts and depots) where the Department is sole occupier or is billed the water services charges: all Departments should establish benchmarks under the Watermark Project for main categories of non-office buildings by 31 October 2001 with the aim of setting percentage targets for achieving initial reductions in Departments' water use within the following year (by 31 March 2002).

LORD CHANCELLOR'S DEPARTMENT

Children and Family Court Advisory and Support Service

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department how the Children and Family Court Advisory and Support Service will demonstrate its ability to comply with health and safety legislation after its inauguration on 1 April. [156998]

Jane Kennedy: The Children and Family Court Advisory and Support Service (CAFCASS) is devising a health and safety policy. In the interim, CAFCASS has adopted the inherited health and safety policies and procedures.

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department when the regional managers for England and Wales will be appointed to the Children and Family Court Advisory and Support Service. [156997]

Jane Kennedy: All area manager appointments to the Children and Family Court Advisory and Support Service (CAFCASS) structure have been made and six of the 10 are now in post. Interim arrangements for the remaining four areas are in place with acting area managers in post.

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department how the Children and Family Court Advisory and Support Service will be represented on area child protection committees. [156999]

Jane Kennedy: The Department of Health will be issuing a letter to the Chairs of Area Child Protection Committees requiring the inclusion of CAFCASS in the core membership of Area Child Protection Committees. CAFCASS will ask the National Assembly for Wales to make a similar requirement.

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department how local child protection procedures will cover Children and Family Court Advisory and Support Service employees. [157000]

Jane Kennedy: All Children and Family Court Advisory and Support Service (CAFCASS) staff will be expected to work to local area child protection procedures, as did the predecessor agencies. Core membership of Area Child Protection Committees will reinforce this requirement.

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department when formal employer and trade union negotiating structures will be in place *(a)* nationally and *(b)* locally for the Children and Family Court Advisory and Support Service. [157001]

Jane Kennedy: The Children and Family Court Advisory and Support Service (CAFCASS) recognises the value to the service of a good working relationship with trade unions. CAFCASS, which was established on 1 April 2001, met with trade union representatives on 4 April 2001. CAFCASS wants to develop a robust consultation and negotiating mechanism as quickly as possible.

PRIME MINISTER

Foot and Mouth

Mr. Stephen O'Brien: To ask the Prime Minister if he discussed at the Stockholm European Council the effects of the UK's obligations under EU treaties and directives on the UK's scope to make decisions, with particular reference to the environment and vaccination, in relation to the foot and mouth outbreak in the United Kingdom. [156377]

The Prime Minister *[holding answer 30 March 2001]:* No. I refer the hon. Gentleman to the statement I made in the House on the Stockholm Council.

Mr. Luff: To ask the Prime Minister for what reason no hon. Members from rural constituencies were invited to meet him during his recent visit to Worcestershire; and if he will make a statement. [156989]

The Prime Minister: I went to the hon. Member for Worcester's constituency and was accompanied by him throughout my visit.

Mr. Luff: To ask the Prime Minister what representatives of *(a)* farming and *(b)* tourism interests from the district council area of Wychavon he met during his recent visit to Worcestershire; and if he will make a statement. [156991]

The Prime Minister: I met farming and tourism local representatives.

Mr. Luff: To ask the Prime Minister what discussions he had during his recent visit to Worcestershire with *(a)* officials of the Ministry of Agriculture, Fisheries and Food, *(b)* representatives of the Ministry of Defence and *(c)* hon. Members for constituencies in Worcestershire concerning the possible locations of a mass burial site for animals slaughtered to control foot and mouth disease; and if he will make a statement. [156990]

The Prime Minister: I discussed various aspects of the foot and mouth disease eradication strategy, including the need for additional disposal routes, with farmers and business representatives, officials, members of the armed forces and others in Worcester on 27 March. Decisions on the use of specific burial or other sites are a matter for MAFF, in consultation with the Environment Agency and other relevant authorities and others.

Sir John Stanley: To ask the Prime Minister what plans he has to set up an independent public inquiry into the foot and mouth outbreak. [157038]

The Prime Minister: We have made it clear that at the conclusion of the foot and mouth outbreak we will sit down and see what lessons can be learned. This is normal good practice after any episode of this kind. However, the form that this exercise will take has not been decided. Our top priority is to focus on implementing the mechanisms to control and eradicate the disease.

Mr. Flynn: To ask the Prime Minister what assessment he has made of the evidence submitted to him on foot and mouth disease by the Soil Association. [157008]

The Prime Minister: I have received no formal submission from the Soil Association. I am, however, aware from meetings that it favours the use of vaccination, which remains under active consideration as an option in the strategy for eradicating the disease.

HOME DEPARTMENT

Police Numbers (Romsey)

Sandra Gidley: To ask the Secretary of State for the Home Department how many *(a)* policemen and *(b)* policewomen there were in the Romsey constituency in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [155858]

Mr. Charles Clarke *[holding answer 28 March 2001]:* The Romsey section is covered by the Eastleigh division of the Hampshire constabulary. The force's records do not make it possible to provide information for 1992 for the Romsey section. The available information is set out in the table and has been provided by the chief constable.

Eastleigh division

Number of police officers

	Eastleigh divisional total		*Romsey section*	
Year	*Male*	*Female*	*Male*	*Female*
December 1992	96	20	[1]—	[1]—
March 1997	96	21	38	3
March 2001[2]	134	33	34	5

[1] Not available

[2] Boundary changes in April 2000 resulted in the extension of the Eastleigh division to include Hedge End and Netley

Immigration and Nationality Directorate

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* nature and *(b)* duration of delays to casework in the Immigration and Nationality Directorate caused by (i) installation of new computer systems and (ii) organisational and accommodation changes. [156093]

Mrs. Roche: Casework in the Immigration and Nationality Directorate is supported on Information Technology systems from Siemens Business Services and other operational systems used in the Immigration Service and the National Asylum Support Service. The number of terminals have expanded across the Immigration and Nationality Directorate in line with increasing numbers of staff and office locations

Casework handling has been improved by extended use of Information Technology in the Immigration Service during 2000 and 2001 and by better arrangements to exchange data between different systems.

Departmental Policies (High Peak)

Mr. Levitt: To ask the Secretary of State for the Home Department if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the High Peak constituency of his Department's policies and actions since May 1997. [156784]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library.

The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime,

cannot be matched in the way requested, although set out are examples relating to the High Peak constituency or the immediate locality:

Targeted Policing Initiative

Derbyshire Constabulary were awarded £317,000 under round two of the Targeted Policing Initiative for a project which includes: mapping of the drug markets, identifying key routes and routes of supply, analysing information about the market and the production of an individual strategy for each market. The mapping of drug markets will allow for the creation of a dynamic approach to tackling the problem.

Derbyshire police, in partnership with other forces, were awarded £90,000 under round two of the Targeted Policing Initiative for a project focusing on distraction burglary. The project will undertake research into the distraction burglary problem, its true extent, how offenders target victims and how offenders can be deterred once they have selected a potential target.

Closed Circuit Television (CCTV)

High Peak borough council was awarded approximately £61,000 for a three-camera scheme covering Whaley Bridge town centre. The scheme aims to reduce the number of assaults by 11 per cent. and burglary and criminal damage by 20 per cent. over three years. It also intends to reduce the fear of crime in the town centre.

High Peak borough council has two bids shortlisted for further consideration totalling over £192,000 under round two of the initiative. These bids, if successful will be to extend the Buxton CCTV system and to provide a High Peak Mobile CCTV system.

Youth Offending

High Peak is covered by the Derbyshire Youth Offending Team (YOT). The Government have introduced multi-agency YOTs to deliver local youth justice services and work with young offenders and those at risk. These teams have been in operation across the country since 1 April 2000.

The Derbyshire YOT is providing Appropriate Adult services for young people when interviewed by police and has dealt with 242 requests for their services between April and December 2000. The Derbyshire YOT is utilising the ASSET assessment system in order to ensure intervention work is effectively targeted at the personal, family, social, educational and health problems that contribute to the causes of a young person's offending behaviour. The health staff attached to the YOT are carrying out basic assessments of young offenders for substance misuse and, where appropriate, referring them on to specialist substance misuse services for young people.

The police officers seconded to the Derbyshire and Derby City YOT have delivered 50 training sessions on the final warning scheme to over 1,200 police officers in order to ensure consistency of police assessment and referral to the YOTs. More than 12 community reparation schemes have been established throughout Derbyshire in order to allow the YOTs to deliver victim-offender mediation services. There is a wide range of activities available to meet the needs of the young person and provide opportunities for further development through accredited training and skills.

Derbyshire is benefiting from the Youth Justice Board's (YJB) development fund which has awarded grants of approximately £613,000 over three years for two bail support schemes and two intervention programmes in the county.

The Derbyshire YOT also received funding from the YJB and the Home Office Crime Reduction Programme to run a Splash scheme during the summer holidays in 2000. The scheme provided various activity schemes for young people most at risk of offending in four wards of Bolsover. This resulted in a marked reduction in nuisance calls and offending in the local area.

The Derbyshire YOT is also benefiting from funding from the National Lottery to operate a community sports initiative in Clay Cross. The initiative is currently being implemented.

More generally, all of the policies of the Home Office will impact on the residents of High Peak to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Wandsworth Police

Mr. Gibb: To ask the Secretary of State for the Home Department when the robbery/burglary squad at Wandsworth police was abolished; and for what reason. [156171]

Mr. Charles Clarke: The deployment of resources and arrangements put in place to fight crime are operational matters for the Commissioner of Police of the Metropolis and the Divisional Commander for the Wandsworth Division.

I understand from the Commissioner that the Wandsworth Division's Robbery/Burglary Squad was reformed on 1 March 2000 into a new Crime Squad with the objective that it should concentrate on proactive investigation of robbery and burglary by the application of intelligence led methods. I am told that the Wandsworth division's more proactive approach to robbery and burglary has resulted in a number of suspects being arrested and remanded into custody, and that there has been a notable drop in offences as a result.

Asylum Support

Mr. Stunell: To ask the Secretary of State for the Home Department what range of payments in cash and in kind is made available to *(a)* asylum seekers awaiting determination of their claim and *(b)* asylum seekers who are granted admission to the United Kingdom by way of (i) grants, (ii) loans and (iii) specific access to social security payments. [155551]

Mrs. Roche: The new support arrangements for destitute asylum seekers under the Immigration and Asylum Act 1999 came into force on 3 April 2000. Under these arrangements the Home Office has taken over responsibility for supporting and accommodating asylum seekers.

Those asylum seekers in receipt of benefits, prior to 3 April 2000 will be transitionally protected and will continue to be eligible to claim Income Support, Housing Benefit and Council Tax Benefit. However, benefit is not payable to asylum seekers appealing against the refusal of refugee status. Asylum seekers who no longer qualify for social security benefits, and who have no other means of support, will be eligible for assistance from the National Asylum Support Service.

Under the new arrangements, asylum seekers receive support from the National Asylum Support Service in kind (vouchers), with a small cash allowance to meet incidental expenses. Where accommodation is provided the cost of this, and utilities are met centrally.

The Home Office also pays grants to local authorities (within fixed unit cost limits) to enable them to provide accommodation and essential living needs to asylum seekers under the interim arrangements. It is for local authorities to decide the best way to provide support to asylum seekers, within the terms of the interim scheme.

Those asylum seekers whose applications are determined favourably and who are awarded refugee status or exceptional leave are eligible for social security benefits. Those who are awarded full refugee status may qualify for a retrospective payment of Income Support, calculated as the difference between the benefit they would have received and the support paid to them by the National Asylum Support Service. Refugees will also be eligible for a backdated payment of Housing Benefit and Council Tax Benefit for any unmet rent and council tax liabilities while their asylum application was determined.

Youth Offending Teams

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what *(a)* evaluation and *(b)* multi-disciplinary inspection of the work of individual youth offending teams has been undertaken; if he will publish the evaluation results to date; what plans there are for further inspection of youth offending teams; and if he will make a statement. [156996]

Mr. Charles Clarke: The operation of youth offending teams and the programmes they run are subject to a range of independent evaluation and monitoring commissioned and operated by the Youth Justice Board. Interim evaluation reports will be published this spring on intervention programmes and bail support schemes. The Sheffield University evaluation of the piloting of youth offending teams in 10 areas from October 1998 has been published as a Home Office Occasional Paper and is available in the Library.

Two youth offending team inspections have been carried out by multi-disciplinary inspection teams who are considering their reports. The Youth Justice Board is considering the future conduct of inspection and its monitoring functions.

Crime (Shrewsbury)

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on the effectiveness of banning handguns on reducing crime in the Shrewsbury Division of West Mercia Constabulary. [156515]

Mr. Charles Clarke: The legislation to prohibit handguns introduced in 1997 was a response to the tragic shootings at Dunblane primary school in 1996 in which 16 children and their teacher lost their lives. It was not expected in itself to solve the wider problem of the criminal use of firearms.

I understand that West Mercia Constabulary recorded 17 firearms incidents in the Shropshire area in 1999 and 12 such incidents in 2000. There has been one such incident so far this year. West Mercia Constabulary have not identified any particular problem with handgun crime or other armed crime in the Shrewsbury area.

Organised Crime

Shona McIsaac: To ask the Secretary of State for the Home Department what plans he has to tackle organised crime; and if he will make a statement. [157530]

Mr. Straw: The Government are making £90 million available over the next three years (2001–2004) to help tackle organised crime. The use of the money will be concentrated against heroin and cocaine trafficking, in support of the Government's strategy "Tackling Drugs to Build a Better Britain", and against people smuggling. Our approach in tackling both forms of crime as set out in the publication "Criminal Justice: The Way Ahead" is to encourage a co-ordinated inter-agency effort and the additional funding will be allocated to Her Majesty's Customs and Excise, the National Crime Squad, the National Criminal Intelligence Service, the Immigration and Nationality Directorate, the Foreign and Commonwealth Office and the security and intelligence agencies.

These additional funds will provide the means for effective new collaborative operational effort against these forms of organised crime, adding to the measures which we have announced recently for a Criminal Assets Recovery Agency and a High-tech crime strategy, for which we have also provided additional resources.

FOREIGN AND COMMONWEALTH AFFAIRS

Refrigerants

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which buildings and premises *(a)* owned and *(b)* leased by his Department use (i) chlorofluorocarbons and (ii) hydrochlorofluorocarbons for refrigeration and other energy needs; and if he will give details of such use and the reasons for it; [153015]

(2) what his Department's policy is regarding the purchase of *(a)* hydrocarbons and *(b)* other environmentally benign refrigerants to meet the refrigeration and other energy needs of buildings and

premises (i) owned and (ii) leased by his Department (1) in the UK and (2) elsewhere; and if he will make a statement; [153018]

(3) to what extent *(a)* the new GCHQ building in Cheltenham and *(b)* other buildings (i) owned and (ii) leased by his Department use hydrofluorocarbons for refrigeration or air conditioning; how much hydrofluorocarbon has been purchased in each year since 1995; and what plans he has to phase out the (1) purchase and (2) use of hydrofluorocarbons. [153017]

Mr. Battle *[holding answer 9 March 2001]:* The Foreign and Commonwealth Office complies fully with the phase-out timetable as agreed in the Montreal Protocol of 1987, and the subsequent revisions laid down by European Commission Regulation 594/91. With the exception of domestic refrigerators (which will be replaced at the end of their natural cycle) all CFC refrigerants and Halon firefighting equipment have been replaced in FCO buildings both at home and overseas.

To date resources have been committed to the eradication of chlorofluorocarbons and Halons, but work is now commencing on the eradication of hydrofluorocarbons. Currently, HCFCs are used extensively throughout the FCO estate, almost exclusively for domestic refrigerators and air conditioning equipment. But extensive use is made of hermetically sealed units which cannot be topped up and therefore pose a minimal risk to the Ozone Layer.

The consortium constructing the new GCHQ building in Cheltenham is using HFC 143A—a zero ozone depleting product which is considered a long-term replacement for CFCs and HCFCs. It is FCO policy that all new buildings under FCO control are charged with synthetic refrigerants. Use of synthetic refrigerant gas is also increasing in larger air conditioning systems, as new or replacement equipment is installed, although progress has been restricted to date by the limited alternatives available in the marketplace.

Information on the use of HCFCs in buildings owned and leased by the FCO, at home and overseas, and on the amount of HCFCs purchased since 1995, is not held centrally and could not be assembled without disproportionate cost.

CULTURE, MEDIA AND SPORT

Museums and Galleries (Free Admission)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the cost in lost admission revenue to each of the national museums and galleries which charge admission fees of introducing universal free admission. [153438]

Mr. Chris Smith: The table shows the amounts of compensation I have currently allocated to the existing charging museums for the next three years. I am though currently finalising with these institutions the final element of compensation to "buy out" the previously planned £1 charge from 1 December 2001.

£ million

Museum	*2001–02*	*2002–03*	*2003–04*
Museum of Science and Industry in Manchester	0.485	0.679	0.692
Museum of London	0.162	0.217	0.323
National Museums and Galleries on Merseyside	1.213	1.545	1.776
National Maritime Museum	1.891	2.442	2.491
Royal Armouries	0.504	0.726	0.740
Imperial War Museum	1.484	2.446	2.500
Science Museum	3.978	5.735	5.849
Victoria and Albert Museum	1.382	2.163	2.206
Natural History Museum	4.175	5.927	6.045
Tate St. Ives	0.253	0.355	0.362
Total	15.527	22.235	22.984

Somerset House

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Chancellor of the Exchequer concerning the occupation by the Inland Revenue of premises at Somerset House; and if he will make a statement. [156148]

Mr. Chris Smith: I have had no discussions with my right hon. Friend the Chancellor of the Exchequer concerning the Inland Revenue's occupation at Somerset House. The Inland Revenue occupy accommodation in the New, West and East Wings of Somerset House under the terms of a 25 years lease from the Somerset House Trust, who are responsible for the overall management of the building. The Inland Revenue are aware of a proposal made to the Somerset House Trust by Christies to take over the existing lease on the New and West Wings. The response to this proposal is a matter for the Trust in the first instance.

World Athletics Championships

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with *(a)* UK Sport and *(b)* the Mayor of London and the Greater London Authority about the costs of staging the 2005 World Athletics Championships. [156364]

Kate Hoey *[holding answer 2 April 2001]:* My right hon. Friend the Secretary of State and I meet UK Sport from time to time to discuss a range of issues including attracting major sporting events like the 2005 IAAF World Athletics Championships to the UK. These discussions include the costs and benefits of staging such events in the UK.

My right hon. Friend the Secretary of State and I discussed the 2005 Championships with the Mayor of London on 23 March.

Wembley Stadium

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what his latest estimate is of the likely date for the repayment of £20 million lottery funding by Wembley National Stadium Ltd., to the Sports Lottery Fund. [156366]

Mr. Chris Smith *[holding answer 2 April 2001]:* We expect the repayment of £20 million of the lottery grant awarded by Sport England to be made within the time frame agreed in December 1999, and as set out in the

recent Select Committee hearing attended by both my hon. Friend the Minister for Sport and myself. Under the agreement, the final payment is due to be made by December 2004.

Digital Television

Mr. Ian Bruce: To ask the Secretary of State for Culture, Media and Sport when he expects the BBC and Channel 4 to join the independent television companies in promoting the new digital kite mark designed to help consumers identify genuine digital televisions; and if he will make a statement. [R] [157040]

Janet Anderson: This is a matter for the BBC and Channel 4. I understand, however, that the BBC is considering how best to raise public awareness of the DVB (Digital Video Broadcasting Project) logo, which distinguishes digital TV sets from analogue TV sets, as part of its ongoing promotion of digital services. Channel 4 has also been promoting its digital services in recent months and has indicated that it is prepared to participate in pan-industry initiatives to promote digital television, including the use of the DVB logo.

Lee Valley Athletics Stadium

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what plans he has to underwrite the cost of *(a)* developing the proposed new athletics stadium at Picketts Lock and *(b)* staging the 2005 World Athletics Championships. [156363]

Kate Hoey *[holding answer 2 April 2001]:* We are fully committed to the successful staging of the IAFF World Athletics Championships in 2005 at the new Lee Valley Stadium. The Government are currently working with the project team to reduce the gap between the funding committed and the likely costs of the project, which are estimated overall to be between £83 million and £87 million.

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what firm commitments he has received from *(a)* Sport England, *(b)* The Lee Valley Forum, *(c)* UK Sport and *(d)* other sources for the funding of the proposed new athletics stadium at Picketts Lock. [156365]

Kate Hoey *[holding answer 2 April 2001]:* Sport England have allocated within their budget up to £60 million to the Lee Valley National Athletics Centre. A further £7 million is available from the Lottery Sports Fund for the dedicated high performance centre which will be integrated with the stadium. Both these sums are subject to a satisfactory application for lottery funding being made.

The Lee Valley Regional Park Authority have committed £5 million to the project. UK Sport does not fund capital projects of this kind.

SOCIAL SECURITY

Benefits Agency

Mr. Winnick: To ask the Secretary of State for Social Security (1) on how many occasions *(a)* he and *(b)* other Ministers in his Department have met decision makers within the Benefits Agency; [157043]

(2) for how long decision makers have decided on cases within the Benefits Agency; [157042]

(3) since when it has not been possible for the Chief Executive of the Benefits Agency to change a decision made by decision makers; and on what authority this change was made; [157044]

(4) how many decision makers there are in the Benefits Agency; on what basis they are appointed; and what the level of their salary is; [157045]

(5) if hon. Members may write on behalf of constituents direct to decision makers within the Benefits Agency; and if he will make a statement. [157046]

Angela Eagle: Ministers regularly visit staff within Benefits Agency offices.

Suitably trained and experienced staff make decisions. Staff are not recruited specifically as decision makers and may be of various grades; therefore, exact numbers are not available. The salary level of decision makers will vary according to grade.

Since the Benefits Agency was established in April 1991, it has never been possible for the Chief Executive to change a benefit decision made by a decision maker. It is only possible to change a benefit decision in accordance with the legislation.

Benefit decision notices encourage customers to contact the appropriate office if they want to know more about a decision or think it is wrong. Any queries received are directed to an appropriate officer to respond. If necessary the query will be directed to a decision maker to provide a response. Queries from customer representatives are dealt with in the same way.

Hon. Members are of course free to write to whomever they wish. However, it has been the accepted practice that, where a response is required on an individual case, the approach is made to the local office manager.

The Social Security Act 1998 transferred the functions of adjudication officers to the Secretary of State. Under new arrangements, all first instance Social Security decisions are made by officers acting on behalf of the Secretary of State. The Benefits Agency introduced the term "decision maker" during the period July to November 1999 when these provisions were introduced.

National Insurance

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer of 2 April 2001, *Official Report*, column 91W, if the new test for national insurance numbers will apply when child reference numbers are converted into national insurance numbers. [157279]

Mr. Rooker: No.

Disability Living Allowance

Mr. Wigley: To ask the Secretary of State for Social Security how many requests for *(a)* revisions and *(b)* supersessions were received in each month since November 1999. [154838]

Mr. Bayley: The information is in the table.

Disability Living Allowance requests for reconsiderations[1] and supersessions received in each month since November 1999

Month	Reconsiderations	Supersessions
November 1999	16,012	12,760
December 1999	10,419	8,056
January 2000	6,691	3,091
February 2000	6,201	14,148
March 2000	7,886	15,518
April 2000	6,361	11,759
May 2000	8,433	14,713
June 2000	9,346	14,284
July 2000	10,924	14,357
August 2000	10,812	12,691
September 2000	8,830	12,148
October 2000	9,634	13,359
November 2000	9,454	13,662
December 2000	6,198	8,330
January 2001	8,925	14,508
February 2001	8,566	13,938

[1] Reconsiderations are revisions under the new system of decision making and appeals which was introduced in October 1999

Source:

DSS Information Centre: 100 per cent. data

Mr. Wigley: To ask the Secretary of State for Social Security what proportion of decisions on a request for *(a)* revision and *(b)* supersession were made in favour of the claimant in each month since November 1999. [154835]

Mr. Bayley: The information is in the table.

Percentage of Disability Living Allowance reconsideration and supersession decisions made in favour of the claimant in each month from November 1999

Month	Reconsiderations	Supersessions
November 1999	24	65
December 1999	21	54
January 2000	25	50
February 2000	25	50
March 2000	26	50
April 2000	26	49
May 2000	25	48
June 2000	23	47
July 2000	26	53
August 2000	27	53
September 2000	30	53
October 2000	31	53
November 2000	31	53
December 2000	31	53
January 2001	31	52
February 2001	31	53

Source:

DSS Information Centre: 100 per cent. data

Mr. Wigley: To ask the Secretary of State for Social Security what proportion of *(a)* initial claims, *(b)* renewal claims, *(c)* reviews and *(d)* appeals were decided in favour of the claimant in each quarter of each year since 1996. [154837]

Mr. Bayley: The information is in the table.

Percentage of Disability Living Allowance initial claim, renewal claim, review and appeal decisions made in favour of the claimant in each quarter since 1996

Quarter	Initial claims	Renewal claims	Reviews[1]	Appeals
March 1996	48	83	41	60
June 1996	47	84	41	63
September 1996	47	83	41	38
December 1996	47	83	60	56
March 1997	46	82	40	38
June 1997	45	80	59	54
September 1997	45	79	39	35
December 1997	46	79	56	51
March 1998	46	77	34	47
June 1998	45	77	34	48
September 1998	46	78	34	47
December 1998	46	79	34	48
March 1999	46	79	33	49
June 1999	46	80	33	49
September 1999	47	81	33	48
December 1999	51	81	33	48
March 2000	52	80	36	47
June 2000	51	81	39	47
September 2000	50	84	43	46
December 2000	51	85	43	48

[1] Includes reconsiderations and supersessions under the revised system of decision making and appeals introduced in October 1999.

Source:

DSS Information Centre: 100 per cent. data.

Benefit Claim Forms

Mr. Cox: To ask the Secretary of State for Social Security when he last reviewed the application forms for benefit claims. [156701]

Mr. Rooker: We are determined to ensure that all those entitled to claim a benefit can do so with the minimum of inconvenience. The Department is currently developing a new Minimum Income Guarantee claim form. The lessons learned from that work are being extended to other benefits.

State Pension

Mr. Davidson: To ask the Secretary of State for Social Security what the role of the basic pension is in overall pension provision in the UK. [156552]

Mr. Rooker: We aim to give everyone the chance to make their own choices about how they want to provide for their own retirement. The basic state pension is a secure foundation but, by itself, it was never meant to support the lifestyle most people want today. We believe the best way to have a secure retirement is to build up an extra amount on top of the state retirement pension.

Pensioners (Benefits)

Mr. Willetts: To ask the Secretary of State for Social Security how many pensioners have been awarded *(a)* Income Support and *(b)* the Minimum Income Guarantee in each quarter since 1997; and how many of these new claims can be attributed to a take-up campaign. [155414]

Mr. Rooker: The information is in the table.

Income Support pensioner/Minimum Income Guarantee claims February 1997 to November 2000

Thousand

Quarter	1997	1998	1999	2000
February	49.3	49.3	50.0	44.4
May	63.8	49.8	63.5	65.6
August	52.8	47.7	55.9	73.6
November	47.4	48.6	51.8	91.4

Notes:
1. Pensioners are defined where the claimant and/or partner are aged 60 or over
2. Figures are based on a 5 per cent. sample and are therefore subject to a degree of sampling error
3. Figures are rounded to the nearest hundred and are expressed in thousands
4. Numbers are based on point in time inquiries therefore no account can be taken of influxes and outflows between the dates of inquiries. This will underestimate the true levels of flows onto benefit

Source:
Income Support Statistics Quarterly Enquiries, November 1996 to November 2000

We are unable to determine the number of claims that have been received as a direct result of the Minimum Income Guarantee take up campaign.

Pensioners

Mr. Stunell: To ask the Secretary of State for Social Security what estimate he has made of the number of pensioners with preserved rights who are ineligible for local authority support. [156863]

Mr. Rooker *[holding answer 4 April 2001]:* Information on estimated numbers of pensioners with preserved rights who are ineligible for local authority support is not available.

Statutory Instruments

Jane Griffiths: To ask the Secretary of State for Social Security of how many statutory instruments were laid before Parliament by his Department each year from 1993 to 1998, inclusive. [156523]

Mr. Rooker: The information is in the table.

Number of statutory instruments laid

Session	Total
1993–94	62
1994–95	66
1995–96	133
1996–97	64
1997–98	80

CABINET OFFICE

General Election Campaigns

Mr. Hammond: To ask the Minister for the Cabinet Office what arrangements are in place to ensure that issues of *(a) NHS News* and *(b) NHS Plan News*, distributed during a General Election campaign comply with requirements for Government publications during General Election campaigns. [156445]

Marjorie Mowlam: Once a General Election is announced, guidance is issued to all Government Departments on questions of procedure and conduct during the period of the Election. This guidance will seek to ensure that no action is taken that could call into question the political impartiality of the Civil Service or give rise to criticism that public funds are being used for party political purposes. The guidance will be made public.

Mr. Hammond: To ask the Minister for the Cabinet Office if she will place in the Library details of the requirements with which Government publications must comply during General Election campaigns. [156446]

Marjorie Mowlam: Guidance on procedure and conduct during an election is published once an election is announced and will be placed in the Libraries at that time.

SOLICITOR-GENERAL

Sentencing Criteria

34. **Fiona Mactaggart:** To ask the Solicitor-General what criteria he adopts in reviewing the sentences imposed where fatalities have occurred. [155712]

The Solicitor-General: When deciding whether a sentence is unduly lenient, I look to the relevant statutory provisions and to the judgments of the Court of Appeal in similar cases. These will guide me when determining the appropriate range of sentence for particular offenders.

I may only refer sentences that are unduly lenient, not merely lenient. The Court of Appeal has held that an unduly lenient sentence is one which falls outside the range of sentences that a judge, taking into consideration all the relevant factors, could reasonably consider appropriate.

Domestic Violence

35. **Helen Jackson:** To ask the Solicitor-General if he will make a statement on the policy adopted by the Crown Prosecution Service to ensure the effective prosecution of incidents of domestic violence. [155713]

The Solicitor-General: Domestic violence is criminal behaviour. The Crown Prosecution Service regards it as a serious matter and will prosecute wherever it is proper to do so. The CPS recognises that safety, support and information are special priorities for victims of domestic violence and it is in this context that prosecutors will consider the range of prosecution options available.

The CPS is currently reviewing its policy on prosecuting cases of domestic violence to see if any improvements can be made; its policy has been and will continue to be that stopping domestic violence is a priority for our society. The CPS is committed to working with its partners in the criminal justice system to achieve this and has been consulting widely with the public and voluntary sectors as part of the review.

Crown Prosecution Service

36. **Mr. Bercow:** To ask the Solicitor-General if he will make a statement on the effectiveness of the Crown Prosecution Service in Buckinghamshire. [155714]

The Solicitor-General: Following successful implementation of the Narey fast tracking arrangements for magistrates court business in 2000, the Crown Prosecution Service and magistrates court managers in Buckinghamshire have worked hard to promote efficient listing practices in the magistrates courts. As a result, there has been effective deployment of two designated caseworkers to prosecute suitable court lists.

More recently, Buckinghamshire Crown Prosecution Service has participated with other agencies to secure agreement to an effective protocol for the accelerated sending of indictable only cases to the Crown court from 15 January 2001. This includes convenient arrangements to deal locally with the preliminary Crown court hearing of certain cases where otherwise those hearings would have been dealt with at a Crown court outside the Thames Valley area.

37. **Mr. Jenkins:** To ask the Solicitor-General what improvements have been made to the performance of the Crown Prosecution Service in the past three years; and if he will make a statement. [155715]

The Solicitor-General: Over the last three years the service has improved its performance in relation to eight key measures: the proportion of advance information sent to the defence within agreed time scales rose from 77.3 per cent. in 1997–98 to 86.6 per cent. in 1999–2000; the proportion of committal papers served on the defence within agreed time scales rose from 50.6 per cent. in 1997–98 to 76.6 per cent. in 2000–01; and the proportion of briefs sent to counsel within agreed time scales rose from 66.3 per cent. in 1997–98 to 77.1 per cent. in 2000–01.

Over the same period there were also improvements in the timeliness of payment of witness expenses, of replies to complaints and of replies to correspondence from Members of Parliament. More recently and most importantly, there has been a reduction in the number of adverse outcomes of cases attributable to CPS failings.

Measures relating to the quality of performance are under development to ensure that the improvements set out are matched by progress in the quality of the service provided to CPS customers and to the public.

In addition to these statistics, which are all reported in the CPS Annual Report, Her Majesty's CPS Inspectorate conduct a rolling inspection programme and each CPS area is scheduled to be inspected every two years. Reports of such area inspections are available to the public.

38. **Mr. Olner:** To ask the Solicitor-General what progress has been made in enforcing the Government's policy on racial equality within the Crown Prosecution Service. [155716]

The Solicitor-General: An Equality Committee and an Equality and Diversity Unit were set up to turn the Crown Prosecution Service's equality statement into a reality. All staff employed by the CPS are being trained in equality and Diversity (with a specific emphasis on race). In October 2000, at a conference of all senior managers a major part of the programme was concerned with racial equality issues. In February 2001, a one day race event was run for a cross section of 250 members of staff.

The Crown Prosecution Service is establishing a systematic approach to monitoring the performance of areas on equality general.

Money Laundering

39. **Mr. Gordon Prentice:** To ask the Solicitor-General what steps the Serious Fraud Office is taking to counter money laundering. [155717]

The Solicitor-General: The Serious Fraud Office investigates and prosecutes cases of serious and complex fraud. It will investigate allegations of money laundering where the activities alleged involve or are involved in offences of serious or complex crime.

The range of offences that can lead to money laundering is wide and varied and includes drugs offences, robbery, theft and tax evasion as well as fraud. As a result, the Serious Fraud Office works in partnership with other prosecuting agencies such as the police, Customs and Excise and Inland Revenue as well as the Financial Services Authority, both to prevent and to prosecute money laundering offences.

Following conviction, the Serious Fraud Office seeks confiscation orders, in addition to the other sentences available to judges, wherever possible, to send a strong deterrent message to would-be offenders both in this country and abroad.

HEALTH

Tissue Banks

Mr. Amess: To ask the Secretary of State for Health if tissue banks will be permitted to include foetal tissues and immature gametes. [146115]

Yvette Cooper: With the explicit consent of the donor to its subsequent use, it is permissible to take and store any human tissue.

Banks storing foetal tissues and immature gametes intended for therapeutic use are included in the scope of the Code of Practice for Banks Providing Tissues of Human Origin for Therapeutic Purposes which has been developed by the Department of Health in consultation with the Royal Colleges and relevant professional bodies.

National Health Service hospitals and independent sector places, approved by my right hon. Friend the Secretary of State, for the termination of pregnancy, may supply foetal tissue for research purposes. Premises supplying foetal tissue for research purposes are expected to comply with the "Polkinghorne Code of Practice on the Use of Fetuses and Fetal Material in Research and Treatment".

Smoking

Dr. Harris: To ask the Secretary of State for Health what assessment he has made of the effectiveness of the investment in smoking cessation services set up following the White Paper, Smoking Kills. [153440]

Yvette Cooper: £10 million was invested in 1999–2000 in the 26 Health Action Zones to develop National Health Service smoking cessation services. During the first year 5,800 clients had successfully quit at

four-week follow up. This represented 39 per cent. of clients setting a quit date, as against our target based on research evidence of an achievable average rate of 26 per cent.

In 2000–01 all health authorities in England were funded to provide smoking cessation services. In the first two quarters of the year there were 12,900 clients who had successfully quit at four-week follow-up. This represented 40 per cent. of those setting a quit date.

We are also making smoking cessation aids available on the NHS to help smokers to quit. The new smoking cessation aid, Zyban, has been available on NHS prescription since June 2000, and we have recently announced that nicotine replacement therapy will also be available on NHS prescription in April 2001. Both these aids to smoking cessation are proven to be effective and cost effective in helping smokers to quit.

We have commissioned research into the effectiveness of the NHS smoking cessation services to inform future developments in this area.

Royal Shrewsbury Hospital

Mr. Paul Marsden: To ask the Secretary of State for Health how many *(a)* nurses, *(b)* doctors and *(c)* consultants were employed by the Royal Shrewsbury Hospital (i) on 1 May 1997 and (ii) for the latest date for which figures are available; and if he will make a statement. [154654]

Yvette Cooper: Data are not collected centrally in the format requested. The table shows the latest available data, which indicate an increase in staffing at the trust in each of the groups identified.

National Health Service Hospital and Community Health Services (HCHS): Hospital medical staff and nursing, midwifery and health visiting staff working for the Royal Shrewsbury Hospital National Health Service Trust, as at 30 September each year.

	Headcount	
	1997	*2000*
All hospital medical staff	190	220
Of which:		
Consultants	70	90
HCHS nursing, midwifery and health visiting staff	900	920

Note:
Figures are rounded to the nearest 10
Source:
Department of Health medical and dental workforce census
Department of Health non-medical workforce census

General Practitioners

Mr. Llwyd: To ask the Secretary of State for Health if the additional £10,000 allocated to general practitioner surgeries in England will be incorporated into general practitioners' contracts and terms of service. [155629]

Mr. Denham: The additional resources are to be used by primary care groups and primary care trusts to develop primary care in ways that improve services to patients. On average £10,000 per practice is available. The additional resources are to be used by PCG/Ts to develop primary care in ways that improve services to patients. On average £10,000 per practice is available. The money will be in addition to existing funding to practices.

Speech and Language Therapists

Ms Perham: To ask the Secretary of State for Health what plans he has to increase recruitment and improve retention of speech and language therapists. [155420]

Mr. Denham: We are implementing a range of measures to improve recruitment and retention for all staff, including speech and language therapists. Examples include investing in fair pay, encouraging the National Health Service to become a better employer, increasing training commissions, attracting former staff back to the NHS, encouraging flexible retirement, and supporting more effective, collaborative international recruitment where appropriate. The Department is working with the Royal College of Speech and Language Therapists to implement these measures.

The Secretary of State recently announced that allied health professionals deciding to return to the NHS, including speech and language therapists, will be eligible for free refresher training, a payment of £1,000 to support them while undertaking refresher training and assistance with childcare, travel and books.

Oral Tobacco Products

Mr. Pickthall: To ask the Secretary of State for Health what progress is being made on controlling the import of oral tobacco products with particular reference to gutkha. [155883]

Yvette Cooper *[holding answer sent 28 March 2001]:* So long as oral tobacco from overseas sources does not fall within a banned category, complies with United Kingdom Customs duty regulations and carries health warnings, their import into the UK is not illegal.

However, we wish to ensure that people have information about health risks. We are, therefore, seeking to develop greater awareness of the health risks associated with oral tobacco as part of our tobacco information strategy. We are working on a dedicated campaign, focused on high risk ethnic minority populations, to address the health risks of smoking and the use of oral tobacco in order to decrease demand for these products. We have funded a training pack for trading standards officers on oral tobacco.

Aintree Hospitals NHS Trust

Mr. Benton: To ask the Secretary of State for Health if he will take steps to ensure the early appointment of a new chief executive at University Hospital Aintree, Aintree Hospitals NHS Trust. [156150]

Mr. Denham: Unfortunately, this post had to be re-advertised because of a lack of suitable candidates. I am pleased to report a good response to the re-advertisement, from which a short list of suitable candidates will be drawn. It is expected that interviews will be held before the end of April. In the meantime, the trust's Medical Director is fulfilling the responsibilities of the post in an acting capacity.

Correspondence

Mr. Brady: To ask the Secretary of State for Health when he will respond to the letter dated 8 February from the hon. Member for Altrincham and Sale, West regarding the case of Josh Galloway, a constituent. [156098]

Mr. Denham *[holding answer 29 March 2001]:* A reply to the hon. Member's letter was sent on 4 April.

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of 3 January, 1 February, 1 March and 28 March relating to her constituent, Mrs. I. Wildish of Cheshunt, Hertfordshire. [156697]

Ms Stuart *[holding answer 2 April 2001]:* A reply to the hon. Member's letters was sent on 4 April 2001.

Child Protection

Mr. Rowe: To ask the Secretary of State for Health what plans he has carry out research at regular intervals into the prevalence of child maltreatment. [156145]

Mr. Hutton: One of our stated objectives for children's social services (published in 1999) is to ensure that children are protected from emotional, physical and sexual abuse and neglect (significant harm). Within this objective, we have made clear our determination to reduce the incidence of both child abuse (significant harm) and repeated child abuse (significant harm).

The Department's policy research programme is mounting a new research and development initiative to contribute to the evaluation of the "Quality Protects" programme. The initiative will examine how the objectives of the programme are being translated into practice. The research and dissemination budget for the initiative will be £2 million over a period of four years.

In March this year, we invited tenders for this research initiative. There are four main areas of focus identified in the briefing paper for tenders, including "Children's protection from significant harm". The briefing paper invites proposals for a pilot study on the incidence of significant harm and repeated significant harm.

Health Services (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Health how many vacancies for general practitioners there were in the Hazel Grove constituency in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [156179]

Mr. Denham: The number of vacancies for general practitioners for the Stockport health authority area in 1992, 1997 and 2001 is not available. However the number of general practitioners (GP) in Stockport health authority during this period is as follows:

	All practitioners	*Unrestricted principals and equivalents (UPEs)*[1]
1992	173	150
1997	175	155
2000	192	166

Notes:
1. General medical practitioners (excluding GP retainers) includes UPEs, restricted principals, salaried doctors (paragraph 52 of Statement of Fees and Allowances) and personal medical service (PMS), others; and [1] UPEs includes general medical services, unrestricted principals, PMS contracted GPs and PMS salaried GPs.
2. GP retainers were collected for the first time in the 1999 census. For comparability they have been excluded from the 2000 figure.
3. There were six GP retainers in Stockport health authority as at 30 September 2000.

Source:
Department of Health general and personal medical services statistics

Mr. Stunell: To ask the Secretary of State for Health how many NHS registered dentists there were in the Hazel Grove constituency in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [156180]

Mr. Hutton: Information on the number of dentists is available by health authority rather than by constituency.

Hazel Grove constituency was located in Stockport Family Health Service, Authority (FHSA) at September 1992. From April 1996 Stockport FHSA changed to Stockport health authority (HA).

The number of dentists in the general dental service at 30 September is shown in the table for Stockport FHSA for 1992 and HA for 1997 and 2000.

General Dental Service: Number of dentists by HA at 30 September each year

	Number of dentists[1]
1992	
Stockport FHSA	107
1997	
Stockport HA	113
2000	
Stockport HA	114

[1] The number of dentists includes principals on a HA list, assistants and vocational dental practitioners

Doctors and Nurses (Stockport)

Mr. Stunell: To ask the Secretary of State for Health how many vacancies for NHS doctors and nurses there were in the Stockport health authority area in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [156181]

Mr. Denham: The Department has no information available for 1992 and 1997. The March 2001 vacancy survey is currently being collected and the results should be published in July 2001.

Teenage Pregnancy

Dr. Tonge: To ask the Secretary of State for Health if he will make a statement on the current level of teenage pregnancy in the UK. [156169]

Yvette Cooper: The Office for National Statistics published details of conception rates for 1999, including those among teenagers, on 22 March. To coincide with publication of the data, a statement was issued by this Department (press release 2001–0143).

The statistics show that in England, conception rates among the under 16s fell by seven per cent., and by four per cent. among the under 18s. This is encouraging news.

However, our rates remain high and we cannot afford to be complacent. That is why we are stepping up our programme to tackle teenage pregnancy.

Action planned for the next six months includes: an assessment of advice and contraception services; providing sex and relationship education in all young offender institutions; issuing new guidance on involving young people in devising teenage pregnancy strategies and for youth workers and social workers on their role in preventing teenage pregnancy; and providing information to all areas about local projects which are already making an impact.

Information about levels of teenage pregnancy in Scotland, Wales and Northern Ireland is available from the devolved administrations.

Health Professionals (Contracts)

Mr. Cotter: To ask the Secretary of State for Health if he will make a statement on the Government's negotiations with the British Medical Association for new contracts for health professionals. [156452]

Mr. Denham: Our proposals for a new approach to the consultant contract and a consultation document on a new award scheme were published on 21 February.

We are committed to seeking a negotiated outcome.

Osteopaths Act

Mr. Gale: To ask the Secretary of State for Health, pursuant to his answer of 26 March 2001, *Official Report*, column 451W, on the General Osteopathic Council, if he will report back to those hon. Members who have raised concerns about the implementation of the Osteopaths Act 1993. [156270]

Yvette Cooper *[holding answer sent 30 March 2001]:* It is my intention to report back to all those hon. Members who spoke in the Adjournment Debate, and to those who have written to me to raise concerns about the implementation of the Osteopaths Act.

GP's (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Health how many general practitioners there were in Shropshire *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [156563]

Yvette Cooper: We are committed to increasing the number of staff working within the National Health Service and funds have been made available to employ 2,000 more general practitioners (GPs) by 2004. The table illustrates the number of general medical practitioners (GMP) in Shropshire health authority area.

Number of GMPs (excluding GP retainers)[1] in Shropshire health authority on 1 October 1997 and 30 September 2000

	1997	*2000*
All practitioners	260	262
Of which:		
Unrestricted principles and equivalents (UPEs)[2]	239	243

[1] GMP (excluding GP retainers) includes UPEs, restricted principals, assistants, GP registrars, salaried doctors (paragraph 52 "Statement of Fees and Allowances") and personal medical services others.

[2] UPEs includes GMS Unrestricted Principles, PMS Contracted GPs and PMS Salaried GPs.

Note:
GP Retainers were collected for the first time in the 1999 census, for comparability they have been excluded from the 2000 figure—there were 14 GP retainers in Shropshire health authority at 30 September 2000.

Source:
Department of Health general and personal medical services statistics

Flu Vaccinations

Mr. Paul Marsden: To ask the Secretary of State for Health how many and what proportion of those aged over 65 years received flu vaccinations in Shrewsbury and Atcham this winter; and if he will make a statement. [156497]

Yvette Cooper: Final monitoring figures received from the flu co-ordinator for Shropshire Health Authority at the end of December 2000, reported that 67 per cent. of those aged 65 and over received a flu immunisation. This is 7 percentage points higher than the national target of 60 per cent. coverage set at the start of the campaign.

Cervical Screening

Mrs. Spelman: To ask the Secretary of State for Health if he will make a statement on the reasons underlying the length of time between the decision by NICE on the approval of the Thin Prep Pap Test and its planned implementation. [156551]

Yvette Cooper: The pilot study to assess the feasibility of using liquid based cytology (LBC) in the National Health Service cervical screening programme is being progressed in line with the overall guidance published by the National Institute of Clinical Excellence (NICE) in June 2000. LBC is being piloted in conjunction with human papilloma virus (HPV) testing.

Since NICE's recommendation, the three sites for the pilot study have been selected, pilot staff have been trained in the new procedures, and new equipment has been installed on site. Screening began in March 2001, as originally planned.

Cancer

Mr. Beggs: To ask the Secretary of State for Health what steps he is taking to reduce the time patients have to wait to receive cancer scans and biopsies. [156768]

Yvette Cooper: We are making significant investment in equipment of £93 million from the New Opportunities Fund which is being used to buy over 300 pieces of equipment for the breast screening programme, along with 34 MRI scanners and 30 linear accelerators. A further £100 million from the Modernisation Fund is being used to update and replace 66 CT scanners and planning equipment for cancer treatment.

We have launched a new initiative to increase the number of histopathologists in training by investing £1.3 million to fund three pilot training centres. We are also investing £2.5 million a year in a training programme for general practitioners, nurses, surgeons and gastroenterologists to undertake endoscopy. Investment in work force means that by 2006 there will be nearly 1,000

extra cancer specialists. Over the summer cancer networks will be developing three year service delivery plans to include work force, education and facilities strategies.

The cancer services collaborative has demonstrated that by changing the way cancer services are provided, for example by pre-planning and pre-booking care, waiting times can be cut and a major impact can be made on cancer care. From 1 April 2001 the improvements in cancer care developed by the collaborative are being rolled out to every cancer network in the country, supported by up to £15 million central funding.

Primary Care Incentive Schemes

Dr. Lynne Jones: To ask the Secretary of State for Health if he will list *(a)* present and *(b)* proposed incentive schemes in primary care together with their purposes. [156732]

Mr. Denham: There are a number of incentive schemes currently in place to encourage best practice in primary care including the prescribing incentives scheme and the sustained quality allowance scheme (details in Health Service Circular 1998/228 and HSC1999/107 respectively). Copies are available in the Library.

On 19 March my right hon. Friend the Prime Minister announced an additional £100 million of investment available to primary care groups and primary care trusts to draw up incentive schemes in association with their constituent practices. These schemes should focus upon delivering local services.

This new investment is intended to stimulate innovation. £50 million will be available recurrently to enable practices to invest up front in service improvement. The second tranche of the moneys (£50 million) will be available non recurrently to reward achievement of the targets agreed locally by practices with their PCG or PCT. It will be for the practice to determine how to use these moneys which may be personal reward to individuals or additional investment to further support service development and staff training. This investment equates to a figure of approximately £2 per head of population with an average practice receiving £10,000 additional investments.

Medical Records

Dr. Lynne Jones: To ask the Secretary of State for Health what mechanisms will be put in place to ensure that patients will have an input into decisions over access to their medical records when electronic patient records are introduced. [156731]

Ms Stuart: A number of electronic record demonstrator projects are looking at this aspect of electronic patient record development. Any mechanisms put in place will need to reflect the requirements of Data Protection legislation and generally common law obligations of confidentiality.

Primary Care Trusts

Dr. Lynne Jones: To ask the Secretary of State for Health if he will make a statement on the benefits arising from the introduction of primary care trusts. [156733]

Mr. Denham: Primary care trusts (PCTs) are local, relevant and accessible organisations to both the community they serve and the clinicians who provide the care. PCTs have a range of freedoms and flexibilities greater than any other health service body. They provide improved support to practices and clinicians, commission and deliver improved services through the integration of primary and community health care and shape services in response to the needs of their local populations. They bring decisions about services closer to patients and local communities, ensuring that they are taken by those who understand their patients' needs. PCTs are demonstrating an ability to balance local knowledge against capacity to manage the provision of services and the management resources to deliver. Owing to the flexibility PCTs have to form responsive local services, there exists a large variety of initiatives across the country.

One hundred and twenty-four new PCTs became operational on 1 April 2001 bringing the total number of PCTs to 164. In two years, the percentage of the population in England whose healthcare is being delivered by a PCT has risen from zero to approximately 48 per cent. The benefits of PCT status for services to patients, the public and for healthcare are being realised now that the first 17 PCTs have completed their first year of operation.

Hepatitis C

Dr. Naysmith: To ask the Secretary of State for Health if he will pay compensation to patients with haemophilia and other blood disorders who have contracted hepatitis C through infected blood transfusions; and if he will make a statement. [156858]

Mr. Denham: We have reviewed the previous Government's decision not to offer financial assistance to haemophilia patients infected with hepatitis C through blood products. We concluded that an exception could not be made to the general rule that compensation or financial help is only given when the National Health Service, or individuals working in it, have been at fault.

Surrey and Sussex Healthcare NHS Trust

Mr. Blunt: To ask the Secretary of State for Health (1) what advice he received in respect of suspending the concentration of services within the Surrey and Sussex Healthcare NHS Trust; and if he will publish that advice; [157093]

(2) what consideration he gave in reaching his decision to suspend the concentration of services within the Surrey and Sussex Healthcare NHS Trust *(a)* to patient safety, *(b)* staff morale and *(c)* cost; and if he will make a statement. [157094]

Ms Stuart: I have carefully considered all the representations made to me over the past few months about the future of acute services at the Surrey and Sussex Healthcare National Health Service Trust and have decided that it would be in the best interest of the local population that any further changes are suspended until the conclusions of the South East Surrey and North West Sussex Service review are known.

In the interim, the South East Regional Office of the NHS Executive will work closely with the trust to ensure that services continue to be provided safely.

Foster Carers

Dr. Cable: To ask the Secretary of State for Health what account has been taken of representations from fostering organisations about the impact on the recruitment and retention of foster carers of the Inland Revenue's proposals for taxing payments. [157069]

Mr. Hutton: Meetings have taken place between officials of the Inland Revenue, the Department of Health, representatives from the Association of Directors of Social Services, the National Foster Care Association, British Agencies for Adoption and Fostering, the Forum of Independent Fostering Agencies, plus other interested parties, such as accountants with relevant expertise in this area. The intention is to agree an appropriate and fair level of average allowable expenses to set against any income that a foster carer may receive from either a local authority or a fostering agency.

It has now been agreed that existing local arrangements will continue to apply until such time as a mutually acceptable agreement on average allowable expenses can be agreed. We hope this will be well in advance of 6 April 2002. We are committed to involving fostering organisations in this process.

Alcohol Misuse

Dr. Cable: To ask the Secretary of State for Health what plans he has to publish a report on a long-term strategy to deal with alcohol abuse. [156910]

Ms Stuart: We remain committed to the publication of a cross Government strategy to tackle alcohol misuse, and we are working with key stakeholders across Government, the alcohol field and the alcohol industry to ensure that this commitment is delivered.

The NHS Plan, published in July 2000, said that the Department would be implementing the strategy by 2004. The Department expects to publish a consultation paper in due course.

EDUCATION AND EMPLOYMENT

School Closures

Mr. Brady: To ask the Secretary of State for Education and Employment if he will list the occasions on which schools have *(a)* closed and *(b)* sent children home early due to (i) foot and mouth disease, (ii) teacher sickness, (iii) adverse weather conditions and (iv) teacher shortages, in the last year for which figures are available. [156918]

Ms Estelle Morris: This information is not collected centrally. Schools may decide to close or to send pupils home early for a number of reasons, especially where they judge the health and safety of pupils to be at risk. Neither schools nor local education authorities are required to report such decisions.

Independent Schools

Mr. Brady: To ask the Secretary of State for Education and Employment what estimate he has made of the percentage of children *(a)* of compulsory school age and *(b)* 16 and over who attended independent schools in each of the last 10 years. [157058]

Ms Estelle Morris: The data requested are shown in the table.

Pupils in independent schools[1]

	Percentage of pupils of compulsory school age[2]	*Percentage of pupils aged 16+*[3]
2000	6.0	19.0
1999	6.0	19.5
1998	6.0	20.0
1997	6.0	20.5
1996	6.0	21.1
1995	6.1	21.5
1994	6.2	21.2
1993	6.5	16.7
1992	6.7	17.5
1991	6.8	18.7

[1] Excluding City Technology Colleges

[2] Calculated as a percentage of pupils of compulsory school age in all school types

[3] Calculated as a percentage of pupils aged 16 and over in all school types

Student Loans

Mr. Willis: To ask the Secretary of State for Education and Employment, pursuant to his answer to the hon. Member for Truro and St. Austell (Mr. Taylor) of 9 February 2001, *Official Report*, column 764W on student loans, if he will estimate the rate of interest required to increase the net present value of student loans in 1999–2000 by £455 million. [156662]

Mr. Wicks *[holding answer 2 April 2001]:* The net present value of the estimated £982 million income contingent loans issued in 1999–2000 to students domiciled in England and Wales is estimated to be £590 million. The nominal rate of interest required to increase this by £455 million is estimated to be around 10 per cent.

Shakespeare

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Employment, pursuant to his answer of 5 March 2001, *Official Report*, column 3W, on Shakespeare, what plans he has for the examining at GCSE of the required study of Shakespeare and the other literary figures referred to in his answer. [156147]

Mr. Wicks: Currently there are two GCSE examinations: GCSE English—which covers the full National Curriculum programme of study in English, including the literature requirements—and GCSE English Literature which ranges more widely. The proposal to review the GCSE in English arose from a review of examination standards over time commissioned and published by the previous administration. The Qualifications and Curriculum Authority has been consulting widely on how to take forward recommendations from the SCAA/Ofsted report "Standards in Public Examinations 1975 to 1995"

published in December 1996. We have insisted that the proportion of Shakespeare and other major figures from British literature covered in any proposals for a new English examination should not be diminished.

OECD

Mr. Nicholas Winterton: To ask the Secretary of State for Education and Employment what recent discussions he has had with officials of the Organisation for Economic Co-operation and Development on standards in education in the UK. [156860]

Mr. Wicks: My noble Friend the Minister for Education and Employment attended the meeting of OECD Education Ministers on 3 and 4 of April to review the OECD's work over the last five years and agree its forward work programme for the next five years. My Department will continue to co-operate closely with OECD in securing lifelong learning for all to meet the new skill demands of the knowledge economy; and in developing innovative teaching and learning to address the challenges for tomorrow's school systems.

Veterinary Students

Mr. Borrow: To ask the Secretary of State for Education and Employment what proportion of students on veterinary courses are from *(a)* state schools and *(b)* state schools in the north of England; and what the breakdown is in each of the veterinary colleges. [155349]

Mr. Wicks: The available information from the Universities and Colleges Admissions service (UCAS) is shown in the table. UCAS do not release data for individual institutions at subject level.

Home domiciled accepted applicants to full-time and sandwich undergraduate courses in veterinary science by previous educational establishment

Institutions in the UK	*Autumn 2000 entry*
Previous educational establishment	*Accepted applicants*
Maintained schools[1]:	
in the north of England[2]	52
from other regions of the UK	220
Total maintained schools	272
Independent schools	157
FE/HE establishments	63
Other	2
Not Known	101
Total	595

[1] Includes comprehensive, grammar, sixth form centres, other secondary and former grant-maintained schools

[2] Includes the following government regions: North East, Yorkshire and the Humber, North West and Merseyside

Sixth Form Funding (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each year since 1992 the average funding per student, for each sixth form college in Shrewsbury and Atcham; and if he will make a statement. [156490]

Mr. Wicks: Shrewsbury and Atcham has one sixth form college: Shrewsbury Sixth Form College. The average funding per student is available for the following years as follows:

£

Academic year	*Funding per student*
1994–95	2,789
1995–96	1,872
1996–97	1,882
1997–98	2,245
1998–99	2,258
1999–2000	2,410

Student Support Arrangements

Mr. Boswell: To ask the Secretary of State for Education and Employment what proportion of parents are *(a)* expected to and *(b)* discharge their obligations to fund their children who are students under the student support arrangements. [155874]

Mr. Wicks *[holding answer 28 March 2001]:* In England and Wales students on undergraduate courses and their families are expected to make a contribution towards their tuition fees and living costs (maintenance) only if they can afford to do so.

In academic year 1998–99, the latest year for which data are available, the proportion of higher education students whose parents were assessed to pay towards their support under the Education (Student Support) Regulations and who were assessed to contribute towards their fees was 65 per cent. Of these, an estimated 41 per cent. were assessed to pay the full support (£1,000 in 1998–99) and 24 per cent. were assessed to pay a partial contribution towards fees.

Data on parental contributions to tuition fees and to students' maintenance are available from the Student Income and Expenditure Survey in 1998–99. Based on a nationally representative sample of just over 2000 full-time students the survey estimates that the parents of 42 per cent. of students were assessed to make a contribution towards maintenance. Of these students 50 per cent. received more than the assessed amount, 20 per cent. received the exact amount, while the remaining 30 per cent. received less than the assessed amount.

The new student support arrangements introduced in 1999–2000 more than doubled the maximum amount of student loan from £1,685 to £3,635, in order to ensure that parents pay no more in upfront contributions than under the previous system. The value of the loan under the new arrangements increased, in cash terms, by 62 per cent. between 1997–98 and 1998–99 (the transitional year) and by 116 per cent. between 1997–98 and 1999–2000 when support for living costs was solely through loans (except for students in vulnerable groups who are also eligible for supplementary grants).

In 1998–99 only first year students were liable to pay tuition fees. In the Student Income and Expenditure Survey 42 per cent. of first year students said that their parents had been assessed to make a contribution towards fees, and of these four in five said that they had received the full amount. The one in five students who reported

receiving less than the full parental contribution to fees is based on a small sample of students (237). This small number, although the result of a nationally representative sample, is subject to sampling error.

Universities UK (formerly the Committee of Vice-Chancellors and Principals) conducts periodic surveys of fee payment to higher education institutions. The latest, in November 2000, estimated that 97 per cent. of students' fee contributions for the previous academic year would be paid by the end of October 2000.

School Internet Connections (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many secondary schools in Shrewsbury and Atcham were connected to the internet *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [156491]

Mr. Wills: The Department does not hold this information on a constituency basis. However, since 1996 the percentage of primary and secondary schools in England with internet connections has increased from 5 per cent. to 86 per cent., and from 47 per cent. to 98 per cent., respectively. I am confident therefore that we are on track to meet our target of connecting all schools to the internet by 2002 and, in doing so, to enable all pupils to benefit from access to resources that will enrich their learning and help to improve standards.

New Deal

Mr. Blizzard: To ask the Secretary of State for Education and Employment (1) if he will make a statement on the role of the local New Deal Strategy Group in determining whether direct displacement of existing employees has taken place in firms participating in the New Deal; [155062]

(2) what sanctions exist against a company which has contravened the rules of the New Deal relating to the direct displacement of existing employees. [155053]

Ms Jowell: When an employer signs up to New Deal they sign an employer agreement which states they have not made anyone redundant or displaced to create the vacancy. The agreement is usually signed on behalf of the Employment Service by the local Business Manager who initiates action if an employer is found to have contravened the agreement. If this proves to be the case, the Employment service would refuse to service any further vacancies for that employer.

The New Deal Strategic Partnership would not normally be involved in issues to do with the displacement of existing employees by New Deal participants. Their role includes producing local strategic plans, monitoring delivery and harnessing local support for New Deal.

Jobcentres (Scotland)

Mr. Davidson: To ask the Secretary of State for Education and Employment how many Jobcentre offices and premises there are in each constituency in Scotland. [156570]

Ms Jowell: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given, which has been placed in the Library.

Departmental Policies (High Peak)

Mr. Levitt: To ask the Secretary of State for Education and Employment if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the High Peak constituency of his Department's policies and actions since May 1997. [156782]

Mr. Wills: Details of the effects of a range of the Department's policies on the High Peak constituency and Derbyshire LEA have been placed in the Library.

PRESIDENT OF THE COUNCIL

Government Bills

Mr. Stunell: To ask the President of the Council, pursuant to her answer of 22 March 2001, *Official Report*, column 314W, on Government bills, what measures she has put in place to monitor the effectiveness of her policy to reduce the number of Government amendments tabled to Government Bills; and if she will make a statement. [156156]

Mrs. Beckett: Last Session, the number of pages in Bills grew by 28.8 per cent. between introduction and enactment. This Session, the increase is running at 3.8 per cent. However, there will always be occasions when the Government will need or wish to respond to relevant developments and table amendments as a result.

AGRICULTURE, FISHERIES AND FOOD

Foot and Mouth

8. **Mr. Bill Michie:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the role of livestock markets on the spread of foot and mouth disease. [155685]

Mr. Morley: The movement of sheep has been a key factor in the spread of foot and mouth disease. We estimate that some 700,000 sheep were sold through livestock markets in Great Britain in February before movement restrictions were imposed. The total movement of sheep in this period will be very much higher. I have launched a consultation on the issue of a standstill period following movements of sheep, goats and cattle, and will also be looking at questions such as traceability, the operation of markets and, in particular, out of ring sales.

11. **Mr. Paterson:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the foot and mouth crisis. [155688]

Mr. Morley: Foot and mouth disease is having a devastating effect of farmers and others involved in the livestock industry, on the tourism industry and on rural communities in general. Experts agree that the nature and impact of the outbreak is unprecedented. Our top priority

remains to contain and eradicate the disease as quickly as possible. Separately we are providing assistance to those worst affected.

16. **Mr. Ian Bruce:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the level of farmers' incomes prior to the foot and mouth outbreak; and what assessment he has made of the effect of foot and mouth on this year's farmers' incomes. [155693]

Ms Quin: Farm incomes have been seriously depressed. Average income from farming in 2000 was £8,500. This represents a drop of 25 per cent. in real terms as compared to 1999.

At this stage it is not possible to quantify the impact the foot and mouth outbreak may have on the incomes of the industry as a whole though it clearly has had a very serious impact on those farmers directly affected. That is why the government have already responded by introducing a number of targeted measures to assist the livestock industry. Overall, we expect the agrimonetary compensation and the welfare disposal scheme to provide over £400 million to livestock farmers.

26. **Mr. Pike:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the latest developments in the foot and mouth disease outbreak. [155704]

Ms Quin: This is an appalling disease which is having a devastating effect on farmers, rural communities and all those involved in the livestock industry. Our top priority remains to contain and eradicate it as quickly as possible.

27. **Mr. Randall:** To ask the Minister of Agriculture, Fisheries and Food what recent meetings he has held with farmers representatives in the last month to discuss the foot and mouth outbreak. [155705]

Ms Quin: We have regularly met a wide range of farming and other organisations since the beginning of the outbreak. In addition, we hold weekly meetings on foot and mouth with stakeholders.

28. **Dr. Palmer:** To ask the Minister of Agriculture, Fisheries and Food what action he has taken to preserve rare breeds during the foot and mouth outbreak. [155706]

Ms Quin: Animals are slaughtered if they are found to be affected by foot and mouth disease. However, following the Chief Veterinary Officer's recent visit to Cumbria, we are reviewing the implications for rare breeds, particularly where these are located in the 3km zone surrounding infected premises.

29. **Mr. Chope:** To ask the Minister of Agriculture, Fisheries and Food when he last met the Forestry Commission to discuss precautions against foot and mouth disease. [155707]

Mr. Morley: I have talked to the Forestry Commission about its response to the foot and mouth outbreak on several occasions over the last few weeks. The most recent occasion was yesterday.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will list the regulations which govern on-farm burial of animal carcases. [156202]

Ms Quin *[holding answer 30 March 2001]:* In England, the regulations which govern the on-farm burial of animal carcases are the Animal By-Products Order 1999, the Water Resources Act 1991 and the Groundwater Regulations 1998.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food if he has carried out an assessment of the risk due to BSE infectivity from disposal of cattle during the present outbreak of foot and mouth disease. [157585]

Mr. Nick Brown: On 30 March, the Spongiform Encephalopathy Advisory Committee (SEAC) considered the independent assessment from DNV Consulting of the public health risk due to BSE infectivity from burning cattle during the present foot and mouth disease outbreak. This assessment was placed in the Libraries of the House on 15 March. Taking account of comments from SEAC and the Environment Agency, this assessment has been revised to include the possible BSE risks from burying cattle carcases on farm and in landfill. Copies of this 1 April revision of the DNV risk assessment have been placed in the Libraries of the House, and are today being published on the MAFF Foot and Mouth Disease internet site.

SEAC advised that the risk from burning (or burying) cattle born on or after August 1996 would be at least 400 times lower than the risk from burning (or burying) a similar number of cattle born before this date. In the light of SEAC's advice, the Environment Agency is advising that, depending on local hydrogeological and other factors and subject to site specific risk assessments, cattle born on or after 1 August 1996 may be buried.

Agrimonetary Compensation

9. **Kali Mountford:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure prompt payments for claims under the agrimonetary compensation scheme. [155686]

Mr. Nick Brown: Payments of the £156 million optional agrimonetary compensation to livestock farmers will begin later this week following accelerated approval by the European Commission. Sheep farmers are already receiving the payments due to them in compulsory agrimonetary compensation, and payment of their optional amounts will be under way during April. Dairy producers can expect to receive the bulk of their agrimonetary payments during April and May, with residual balance payments being made to them later in the year. Payments to beef producers will begin in May.

Livestock Farmers

10. **Mr. Blunt:** To ask the Minister of Agriculture, Fisheries and Food what assessment he had made of the impact of Government policy on Britain's livestock farmers. [155687]

Mr. Morley: Livestock farmers will receive some £735 million in 2000–01 by way of payments under the principal EU livestock schemes—for suckler cows, beef cattle and sheep. In the present difficult circumstances, we have taken steps to ensure that farmers who have lost animals as a result of foot and mouth disease preserve their entitlement to premiums. In addition, the Government are paying compensation at full market value

for animals slaughtered because of FMD, and have made available compensation under the optional Livestock Welfare Disposal Scheme for those farmers who face immediate welfare difficulties. £156 million of optional agrimonetary compensation is about to be paid to livestock farmers.

Food Imports

12. **Mr. Stephen O'Brien:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on agricultural food imports into the United Kingdom. [155689]

Ms Quin: I refer the hon. Member to today's earlier oral answer given to the hon. Members for Buckingham (Mr. Bercow) and for Poole (Mr. Syms), at columns 489-90.

Common Fisheries Policy

13. **Dr. Godman:** To ask the Minister of Agriculture, Fisheries and Food if he discussed regional management of the fisheries when he last met his European counterparts to discuss the review of the common fisheries policy. [155690]

Mr. Morley: I regularly raise the need to develop regional management of fisheries when I meet my European counterparts. I look forward to the opportunity of pursuing this in the Fisheries Councils on 25 April and 18 June when the Commission's suggestions on the issue contained in its Green Paper on the future of the CFP will be discussed.

Farm Incomes

14. **Mr. Bill O'Brien:** To ask the Minister of Agriculture, Fisheries and Food what proposals he has for the reform of the common agricultural policy in relation to farmers' incomes; and if he will make a statement. [155691]

Ms Quin: Farm incomes have been seriously depressed latterly, principally as a result of the weakness of the Euro against sterling, low world commodity prices, the impact of BSE and now the outbreak of foot and mouth disease. There are also longstanding structural weaknesses in the agricultural sector arising from the tradition of production-based subsidies under the Common Agricultural Policy. That is why the Government are firmly committed to securing further reform.

Insurable Diseases

15. **Dr. Cable:** To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to widen the take-up of private insurance for insurable diseases, including foot and mouth. [155692]

Ms Quin: At the outset of last year's outbreak of classical swine fever, we established a joint Government/ industry working party to consider what measures the livestock industry could take to protect itself in future against the commercial consequences of animal disease outbreaks. The working party is looking at the existing and potential role of animal disease insurance.

State Veterinary Service

17. **Mr. Conker:** To ask the Minister of Agriculture, Fisheries and Food what the change in the number of veterinarians employed by the state veterinary service was *(a)* from 1979–80 to 1997–98 and *(b)* from 1997–98 to date. [155694]

Ms Quin: The State Veterinary Service employed 597 full-time equivalents in 1979. In 1997 there were 289 full-time equivalents in the Service. At present there are 286 full-time equivalent veterinarians in the Service. There are currently over 1,200 veterinarians working to control foot and mouth disease.

Dairy Regime

18. **Mr. Hopkins:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to reform the dairy regime of the common agricultural policy. [155695]

Ms Quin: We will continue to seek an orderly end to the milk quota system which unfairly constrains our producers.

Mackerel (Conservation)

19. **Mrs. Gilroy:** To ask the Minister of Agriculture, Fisheries and Food what discussions he has recently had with respect to conservation of mackerel. [155696]

Mr. Morley: I am aware of concerns in the south-west about the conservation of mackerel including some requests for a reopening of the Mackerel Box. The scientific advice is clear that the Box should remain. I am however seeking ICES advice on the issue.

Scientific Advice

20. **Mr. Michael Jabez Foster:** To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to ensure that scientific advice to Ministers is made public. [155697]

Ms Quin: My right hon. Friend the Minister announced on 15 February that all scientific appraisals prepared to inform policy decisions in MAFF will be put into the public domain. We have also taken a number of steps to increase the openness of the Scientific Advisory Committees advising MAFF, including holding open sessions, publishing agendas and minutes of meetings and issuing public reports.

Beef Farmers

21. **Mr. Peter Atkinson:** To ask the Minister of Agriculture, Fisheries and Food what meetings he has held with beef farmers representatives in the last month. [155698]

Ms Quin: Beef farmers are represented at the weekly meetings on FMD we are holding with stakeholders.

Hill Farmers

22. **Mr. Gordon Prentice:** To ask the Minister of Agriculture, Fisheries and Food what changes he forecasts in the subsidy regime affecting hill farmers from 2001 to 2005. [155700]

Ms Quin: The hill farm allowance scheme has been approved by the Commission as a basis for hill farm support in England up to 2006. However, we will keep the scheme under review, and will propose modifications taking account of the report of the Hills Task Force, commissioned research into alternative approaches to land classification, and other developments including the foot and mouth disease outbreaks.

Flood Defences

23. **Sir Michael Spicer:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on flood defences. [155701]

Mr. Morley: MAFF has policy responsibility for flood and coastal defence in England. Operational responsibility falls to the "operating authorities", the Environment Agency, internal drainage boards and local authorities.

The Government's policy aim is to reduce the risks to people and the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures. Our three objectives for delivering this aim are:

to encourage the provision of adequate and cost-effective flood warning systems;

to encourage the provision of adequate, technically, environmentally and economically sound and sustainable flood and coastal defence measures; and

to discourage inappropriate development in areas at risk from flooding or coastal erosion.

Delivery of the aim and objectives is facilitated by *inter alia* a series of high level targets for the flood and coastal defence operating authorities which took effect in April 2000.

25. **Mr. Mackinlay:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on plans to prevent flooding in and around the Thames and Medway estuaries. [155703]

Mr. Morley: Responsibility for deciding which flood defence works to promote and their timing rests with operating authorities such as the Environment Agency. I understand that the agency has embarked on a programme of studies with a view to formulating a strategy for flood risk management in the whole Thames estuary, with more specific studies planned for elements such as the Medway estuary.

Mr. Hilary Benn: To ask the Minister of Agriculture, Fisheries and Food what plans he has to improve flood defences in Leeds city centre. [156806]

Mr. Morley: The Ministry has policy responsibility for flood defence in England and administers grant aid for capital defence works. However it is for local operating authorities, normally the Environment Agency or the local council, to determine which projects to promote and their timing. I understand that the agency has commissioned a number of strategic studies for the River Aire with a view to considering options for flood alleviation measures in Leeds and other towns on the river.

Herds and Flocks (Health Status)

24. **Mr. Boswell:** To ask the Minister of Agriculture, Fisheries and Food what studies he has conducted into the health status of herds and flocks in *(a)* Britain and *(b)* other countries. [155702]

Ms Quin: The health status of flocks and herds in Great Britain is the subject of ongoing surveillance for notifiable and non-notifiable diseases. For flocks and herds abroad, we rely on advice from the Office of International Epizootics and on information collected by the European Commission. The 1999 Annual Report of the Chief Veterinary Officer gives an overview of the work undertaken.

Rural Development

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to increase the proportion of Common Agricultural Policy expenditure devoted to rural development. [155699]

Ms Quin: The Government are committed to further expansion of rural development measures: the "second pillar" of the CAP. In England some £1.6 billion is being injected into rural areas over seven years. In practice, this means increasing spending from 1999 levels by about 60 per cent. over the period. £300 million of this will be money redirected, or "modulated", from direct support mechanisms. The Government are supplementing this modulated money with a further £300 million. At Community level, we will continue to press for a greater share of EU funding from the second pillar.

Hill Farm Allowance

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the administrative costs of the Hill Farm Allowance scheme as a percentage of grants disbursed. [156864]

Ms Quin *[holding answer 4 April 2001]:* The budget for HFA payments has been determined in the context of the England Rural Development Programme, the Action Plan for Farming and the Spending Review and is entirely separate from the Ministry's running costs. However, this year the costs of administering HFA payments in England, ignoring design and setting up costs, are expected to be about 1.5 per cent. of the payments made.

Pigswill

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food when the proposed ban on pigswill comes into effect; and how the pigswill will then be disposed of. [156279]

Ms Quin *[holding answer 2 April 2001]:* The consultation period on the proposed ban on the use of pigswill ends on 10 April. Our intention is for an order to be made as soon as possible thereafter and for the ban to come into force 3 to 4 weeks later. The disposal of the material formerly used to produce pigswill will then be subject to the requirements of the duty of care under section 34 of the Environmental Protection Act 1990 and must be disposed of only by an "authorised person" (eg the operator of a licensed landfill site or an authorised incinerator).

Forestry

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to provide financial assistance to the forestry industry to compensate for losses incurred as the result of foot and mouth disease restrictions; and if he will make a statement; [155784]

(2) what assessment his Department has made of the job losses in the forestry industry which will result from the foot and mouth disease outbreak; and if he will make a statement; [155783]

(3) what assessment he has made of the economic impact of the current foot and mouth restrictions on the forestry industry; what discussions he has had with the forestry industry; and if he will make a statement. [155782]

Mr. Morley: The Forestry Commission is gathering information on the impact on the forestry industry of foot and mouth restrictions. The Commission has had discussions with key sectors of the industry including a meeting, on 23 March, with representatives of England's woodland owners and managers.

Once the Forestry Commission has collected and analysed information regarding the impact of foot and mouth restrictions, we shall assess whether we should provide additional support for the forestry industry. I have discussed the effects of the foot and mouth outbreak with the Forestry Commission on several occasions, and the Rural Task Force, of which I am a member, has also received representations direct from the forestry industry.

Agricultural Hereditaments

Mr. Dobson: To ask the Minister of Agriculture, Fisheries and Food what has been the rise in the value of agricultural hereditaments since 1980. [147492]

Ms Quin *[holding answer 29 January 2001]:* This information is not available. Agricultural hereditaments are exempt from rating and consequently they have not been valued. We have attempted to estimate the value of agricultural hereditaments for rating purposes on several previous occasions. However these calculations rely on a number of assumptions and are constrained by the availability of information on the value of agricultural properties at the time the calculation was made. Further, the basis used to calculate business rates has changed since 1980. As a result our previous calculations do not provide a reliable basis for estimating the increase in the notional value of agricultural hereditaments over a period of time.

Slaughter Costs

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what recent studies his Department has made of the average cost of slaughtering a lamb in an abattoir in each of the EU member states; and if he will make a statement. [153267]

Ms Stuart *[holding answer 12 March 2001]:* I have been asked to reply.

The Department has undertaken no such studies. Slaughter costs reflect a number of factors, including size and efficiency of operations, and are therefore commercial matters.

Written Answers to Questions

Friday 6 April 2001

PRESIDENT OF THE COUNCIL

Peerages

Mr. Gordon Prentice: To ask the President of the Council how many applicants for a people's peerage are under *(a)* 25 and *(b)* 30 years. [157254]

Mrs. Beckett: I understand from the House of Lords Appointments Commission that there were *(a)* 22 and *(b)* 77.

Mr. Gordon Prentice: To ask the President of the Council how many applicants for a people's peerage are over *(a)* 65, *(b)* 70, *(c)* 75 and *(d)* 80. [157255]

Mrs. Beckett: I understand from the House of Lords Appointments Commission that there are *(a)* 696 of whom, *(b)* 309 are over 70, *(c)* 121 are over 75 and *(d)* 31 are over 80.

Mr. Gordon Prentice: To ask the President of the Council if she will list the regional backgrounds of aspiring people's peers who appear in the column 'other' on the Commission's website. [157253]

Mrs. Beckett: I understand that those listed as 'other' in the House of Lords Appointments Commission website are nominees not resident in the UK at present. They are either British citizens currently living abroad, Commonwealth citizens or Irish citizens. They do not therefore have a regional background.

Parliamentary Questions

Mr. Gordon Prentice: To ask the President of the Council if she will list the questions for answer by her which she has not answered on the grounds of disproportionate cost in the 2000-01 session. [157169]

Mrs. Beckett: Two. Questions answered on 16 March 2001, *Official Report*, column 764W, and 22 March 2001, *Official Report*, columns 314–15W.

PRIME MINISTER

Wal-Mart

Mr. Matthew Taylor: To ask the Prime Minister on what dates between 1 January and 31 July 1999 he met representatives of the Wal-Mart company; and whom he met from the company on each occasion. [157325]

The Prime Minister: I have meetings with a wide range of organisations and individuals. As with previous Administrations it is not my practice to provide details of all such meetings.

Foot and Mouth

Mr. Cash: To ask the Prime Minister if he will hold a public inquiry following the elimination of foot and mouth disease into the causes of the disease and the Government's handling of its consequences. [157612]

The Prime Minister: I refer the hon. Member to the answer I gave to the right hon. Member for Tonbridge and Malling (Sir J. Stanley) on 5 April 2001, *Official Report*, column 251W.

Identity Cards

Mr. Liddington: To ask the Prime Minister (1) what studies are being undertaken by the Performance and Innovation Unit into the possibility of a national identity card; [157349]

(2) what consultations have been carried out in the past 12 months by the Performance and Innovation Unit about the possibility of a national identity card. [157346]

The Prime Minister: The PIU have not carried out any formal consultation about the possibility of a national identity card.

In September last year, I asked the PIU to undertake a project looking at privacy and data issues. Lord Falconer, Minister of State in the Cabinet Office, is the Sponsor Minister for the project.

The project is analysing a broad range of issues involved in privacy and the use of personal data, including current government, private sector and international practices, structural and technological issues, public attitudes and the current legal framework. The project is also examining a range of issues to do with identification and authentication, including identification numbers and smartcards.

Meetings

Mr. Wilkinson: To ask the Prime Minister on what occasions and where since 3 May 1997 he has met the creators of charitable foundations; what the purposes of such meetings were; and what their outcomes were. [157258]

The Prime Minister: I have meetings with a wide range of organisations and individuals. As with previous Administrations it is not my practice to provide details of all such meetings.

DEFENCE

Reservists

Mr. Laxton: To ask the Secretary of State for Defence if he will make a statement about the call-out of reservists for operations in the Balkans and the region of Iraq. [157797]

Dr. Moonie: Since NATO operations commenced in the former Yugoslavia, the reserve forces have historically provided some 10 per cent. of the total manpower in theatre. A further call-out order has been made under section 54 of the Reserve Forces Act 1996 to allow members of the reserve forces to continue to be called out to support operations in Yugoslavia and in the region of

Iraq. As in previous years, only volunteers for these duties will be called out. The new call-out order has effect until 31 March 2002.

Joint Strike Fighter

Mr. Hoyle: To ask the Secretary of State for Defence (1) what representations he is making to the US Administration to ensure that the US maintains its commitment to the Joint Strike Fighter project; [156335]

(2) what recent discussions he has had with the US Defense Secretary on the Joint Strike Fighter project; [156334]

(3) what estimate he has made of the number of UK jobs which will be created by the Joint Strike Fighter aircraft project; [156336]

(4) what assessment he has made of the prospects for continuing with the Joint Strike Fighter project without US support; [156337]

(5) what alternatives to the Joint Strike Fighter aircraft project his Department has assessed. [156338]

Mr. Hoon: The importance that the UK attaches to the Joint Strike Fighter (JSF) programme has been raised regularly with the United States Administration in UK/US ministerial meetings. I took the opportunity to reinforce this message with Secretary Rumsfeld during my recent visit to the US.

We estimate that up to 5,000 jobs may be created or sustained as a result of the UK's involvement in the next phase (Engineering and Manufacturing Development) of the JSF programme.

The alternative options considered by the UK to meet its future requirement were the US F/A18E, the French Rafale, a navalised version of the Eurofighter and an advanced Harrier variant.

The JSF is a US led project. I would not expect it to continue should the US Government decide to cancel it.

Weapons Training

Mr. Key: To ask the Secretary of State for Defence how many places were available in *(a)* March 2000 and *(b)* March 2001 on courses for HM forces on (i) improvised explosive device disposal, (ii) explosive ordnance device driver courses and (iii) biological and chemical munition disposal; and how many (A) applied for, (B) were accepted to and (C) completed each course. [156215]

Mr. Spellar *[holding answer 30 March 2001]:* This type of training is carried out at three Army Training and Recruiting Agency (ATRA) Schools: the Defence Explosive Ordnance Disposal School (DEODS) at Chattenden in Kent, The Army School of Ammunition (ASA) at Kineton, Warwickshire and the Defence School of Transport (DST) at Leconfield, Yorkshire. Biological and chemical munitions disposal is taught as part of other courses at the ASA. Similarly, IEDD training forms part of courses run at both DEODS and ASA. Driver training for EOD Van Drivers is taught at the DST.

Courses run throughout the year and information for courses running at any point during March each year is given in the table.

Course title	*March 2000*	*March 2001*
Place available		
ASA EOD (IEDD) Army Courses[1]	28	28
ASA EOD (IEDD) Joint Service Courses[2]	0	28
ASA Courses with BCMD content[3]	18	18
EOD Van Driver	8	8
DEODS courses with IEDD elements	40	44
Places taken		
ASA EOD (IEDD) Army Courses[1]	25	30
ASA EOD (IEDD) Joint Service Courses[2]	0	24
ASA Courses with BCMD content[3]	18	18
EOD Van Driver	7	8
DEODS courses with IEDD elements	39	39
Successful passes		
ASA EOD (IEDD) Army Courses[1]	17	10
ASA EOD (IEDD) Joint Service Courses[2]	0	[4]—
ASA Courses with BCMD content[3]	17	15
EPD Van Driver	7	7
DEODS courses with IEDD elements	34	39

[1] These courses are four and five weeks in length. Start dates were in February 2000 and January 2001. Places available and taken are those on the course finishing in March.
[2] These courses are of similar duration to the Army courses. In 2000, no courses started or finished in March, in 2001 the courses are still under way and will not finish for another week.
[3] There are two courses, one four months and one 10 months. Numbers shown are for the courses finishing in March.
[4] Not known

However, it may be helpful to have the overall position for the training years ending in March 2000 and March 2001, which is given in the table.

Course title	*1999–2000*	*2000–01*
Places available		
ASA EOD (IEDD) (Army) Courses	80	100
ASA EOD (IEDD) Joint Service Courses	80	80
ASA Courses with BCMD content	30	30
EOD Van Driver	80	80
DEODS courses with IEDD elements	288	276
Places taken		
ASA EOD (IEDD) (Army) Courses	80	90
ASA EOD (IEDD) Joint Service Courses	75	[1]83
ASA Courses with BCMD content	19	26
EOD Van Driver	75	72
DEODS courses with IEDD elements	253	259
Successful passes		
ASA EOD (IEDD) (Army) Courses	46	62
ASA EOD (IEDD) Joint Service Courses	40	29
ASA Courses with BCMD content	19	26
EOD Van Driver	75	72
DEODS courses with IEDD elements	236	229

[1] Two courses ran with additional personnel

Strategic Defence Initiative Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the contracts awarded since 1 September 1998 under the Letter of Offer and Acceptance, 0006–98-C-0015, signed under the 1985 Strategic Defence Initiative Memorandum of Understanding, specifying in each case the name of the contractor, the value of the contract and the date of the award. [157281]

Mr. Hoon: I refer the hon. Member to the answer I gave him on 28 March 2001, *Official Report*, column 620W.

Technology Readiness and Risk Assessment Programme

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) when the Technology Readiness and Risk Assessment Programme is expected to be completed; and if he will publish an unclassified version of its conclusions when it is completed; [157344]

(2) if he will place in the Library copies of unclassified documents which have been *(a)* issued to the contractors and *(b)* made public during the Technology Readiness and Risk Assessment Programme. [157401]

Mr. Hoon: The Technology Readiness and Risk Assessment Programme is planned for completion in the autumn of 2001. An unclassified summary of the report will subsequently be published and a copy will be placed in the Libraries of the House. The only unclassified document made available to contractors and made public, is that covering the Terms of Reference. In this regard I refer the hon. Member to the answer given to the hon. Member for Salisbury (Mr. Key) on 27 July 1999, *Official Report*, column 203W.

Nuclear Warheads

Mr. Llew Smith: To ask the Secretary of State for Defence in which locations nuclear warheads withdrawn from active service are stored; and if he will make a statement on the use to which nuclear material recovered from redundant warheads is put. [156376]

Mr. Hoon: Nuclear warheads are stored at Faslane and Coulport, before they are returned to the Atomic Weapons Establishment for dismantling.

Nuclear material retained for defence purposes, including that recovered from redundant warheads, is recycled within the UK's defence programme. Nuclear material recovered from redundant warheads which is surplus to defence needs either has been or will be transferred into safeguard arrangements and will be subject to inspection by the International Atomic Energy Agency.

Territorial Army Reserve

Mr. Bob Russell: To ask the Secretary of State for Defence (1) if he will list *(a)* the designated strength and *(b)* the number enlisted in each battalion or unit of the Territorial Army Reserve; what action is being taken to fill vacancies; and if he will make a statement; [157090]

(2) how many members of the Territorial Army Reserve attached to units which were disbanded under the Strategic Defence Review *(a)* transferred to other Army TA units, *(b)* transferred to other reserve occupations and *(c)* joined the services full time; how many left the TA; and if he will make a statement. [157091]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Bob Russell: To ask the Secretary of State for Defence what the designated strength of the Territorial Army Reserve is; and what the number enlisted is. [157092]

Dr. Moonie: The latest available figures give the numbers enlisted into the Territorial Army as 40,684 against an establishment of 41,204.

Foot and Mouth

Mr. Duncan Smith: To ask the Secretary of State for Defence how many members of the armed forces were deployed in the first instance in support of the Ministry of Agriculture, Fisheries and Food to deal with the foot and mouth outbreak; and how many members of the armed forces were so deployed on 3 April. [157418]

Mr. Spellar: In response to initial requests from the Ministry of Agriculture, Fisheries and Food (MAFF), a small number of military specialists—vets and logistic planners—were deployed on 16 March to help in dealing with the foot and mouth outbreak. Since then, the armed forces have continued to respond to further requests for support. The total number of troops deployed as at 3 April was 1,544. Additional troops are on reduced notice to move, pending further requests for assistance.

Atlantic Star

Mr. Mackinlay: To ask the Secretary of State for Defence if he will seek advice from his Department's Historic Branch on the contribution made in the battle of the Atlantic by the Polar Bears, in securing Iceland in 1941, and on whether they are entitled to the Atlantic Star. [157420]

Dr. Moonie: The men of the 49th West Riding Division whose divisional sign was a Polar Bear, formed the core of the British garrison of Iceland between the late spring of 1941 until the end of 1942 when responsibility for the garrison passed wholly to the United States forces who began to arrive there in the summer of 1941.

The securing of Iceland by this garrison made possible the subsequent basing there of Allied aircraft to carry out anti-submarine patrols and thus provide further support to the Allied convoys on which so much depended. Further, the island was used as an assembly point for convoys to Russia.

However, the land garrison did not participate directly in the operations contributing to the Battle of the Atlantic, and accordingly land service on Iceland was not included among the categories of service conferring eligibility for the Atlantic Star. This campaign award and the other Campaign Stars and War Medals, were considered by the Inter-Departmental Committee on the Grant of Honours, Decorations and Medals for the 1939–45 War and subsequently agreed by the King.

Mr. Mackinlay: To ask the Secretary of State for Defence if he will seek advice from his Department's Historic Branch on the contribution made by 269 Squadron while operating out of Iceland in securing the Enigma code technology from a captured U-Boat; and if Squadron members are entitled to the Atlantic Star. [157419]

Dr. Moonie: Number 269 Squadron made a distinguished contribution to the Battle of the Atlantic, including sinking several enemy submarines and playing a major role in the capture of U-570 in August 1941. The

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surrender of U-570 did produce valuable intelligence on enemy submarines. Unfortunately, the unavoidable lapse in time between the surrender of the vessel to 269 Squadron and the arrival of a Royal Navy surface warship allowed the U-boat crew to throw overboard, or otherwise destroy, all the submarine's Enigma equipment and codebooks.

Members of 269 Squadron who meet the necessary qualifying criteria are eligible for the award of the Atlantic Star.

Mr. Mackinlay: To ask the Secretary of State for Defence if the Minister for Veterans' Affairs will meet representatives of the 49th Infantry Division Association to discuss members' entitlement to the Atlantic Star. [157421]

Dr. Moonie: The basic qualifying criteria for Second World War medals were agreed by the Inter-Departmental Committee on the Grant of Honours, Decorations and Medals in 1946. It would not be appropriate to attempt to review, with a view to altering contemporary decisions, events which happened more than 50 years ago. A meeting with the members of the 49th Infantry Division Association would not, therefore, be helpful to them.

Medal entitlement is examined on an individual basis. Members of the 49th Infantry Division Association who feel that they are entitled to the Atlantic Star should write, individually, to the Army Medal Office enclosing as much information concerning their service as possible. Their case will then be considered.

Mr. Mackinlay: To ask the Secretary of State for Defence what criteria were laid down for service men and women to be entitled to the Atlantic Star; and if he will make a statement. [157417]

Dr. Moonie: The qualifying criteria for the campaign stars and medals instituted for service during the Second World War, including the Atlantic Star, were published by the Inter-Departmental Committee on the Grant of Honours, Decorations and Medals in Command Paper 6633 in May 1945 and amended by Command Paper 6833 in June 1946. Copies of both these documents are in the Library of the House.

Iraq

Mr. Laurence Robertson: To ask the Secretary of State for Defence if bombs coated with depleted uranium were used in the most recent bombing of Iraq; and if he will make a statement. [157415]

Mr. Hoon: Bombs coated with depleted uranium were not used on the most recent occasion that coalition aircraft patrolling the southern no fly zone responded in self-defence against the Iraqi Air Defence System.

Mr. Laurence Robertson: To ask the Secretary of State for Defence if he will make a statement on the reasons for the most recent bombing of Iraq by the UK and USA. [157414]

Mr. Hoon: Coalition aircraft carrying out legitimate patrols of the Iraqi no fly zones are authorised to respond in self-defence to Iraqi efforts to shoot them down. This is the only basis on which weapons have been released over Iraq since-Operation Desert Fox in December 1998.

INTERNATIONAL DEVELOPMENT

Sudan

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with *(a)* her EU counterparts and *(b)* the UN concerning World Food Programme supplies for Sudan. [156895]

Clare Short: My Department is in regular contact with *(a)* the EU in Brussels, both the European Community Humanitarian Office (ECHO) and the Food Aid Unit, about their plans for food aid to Sudan this year: We have also discussed Sudan with *(b)* the UN and World Food Programme (WFP) in London, Rome and Khartoum. WFP have asked for 150,000 metric tonnes and we expect a substantial part of this to be provided by contributions from EU member states and the United States. We understand the European Commission will make available 12,000 tonnes for drought and related needs in the north.

Dr. Tonge: To ask the Secretary of State for International Development if she will list her Department's contributions to the World Food Programme earmarked for Sudan since 1997. [156892]

Clare Short: Since 1997, the Department for International Development has earmarked £14.4 million for Sudan through the World Food Programme. This contribution was disbursed over 1998 and 1999. No contribution was considered necessary in 2000. We are considering our response in 2001 as the humanitarian situation demands.

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on current food deficit levels in Sudan. [156896]

Clare Short: There are indications there may be food shortages in some part of Sudan this year. We are monitoring the situation closely both from London and through our DFID representative at the British Embassy in Khartoum. My humanitarian adviser will also be visiting Sudan in May to assess needs and make recommendations.

Philippines

Mr. Purchase: To ask the Secretary of State for International Development if she will make a statement on the approval by her Department of the National Roads Bridge Replacement Project in the Philippines. [157855]

Clare Short: I have recently agreed a commitment of DFID funds of up to £8.75 million to this project. This will be the final project funded under the Aid and Trade Provision (ATP).

The 1997 White Paper on International Development committed the Government to focus all future development assistance on poverty reduction, and, therefore to end the ATP scheme.

We also agreed to honour ATP commitments already made and to do our best to make them more poverty focused. This project will improve routes passing through poor rural areas of the Philippines.

Departmental Procurement

Dr. Naysmith: To ask the Secretary of State for International Development what progress has been made on untying her Department's procurement following the White Paper commitment. [157796]

Clare Short: DFID is untying by applying the Public Procurement Regulations from 1 April to invite global competition for all new contracts above a threshold value of £93,896. Implementation will be a challenge and we have agreed to share the practical lessons with other development agencies in line with our commitment to international untying. The new policy will not disrupt current programmes. For this financial year only, DFID will consider extension to current contracts where that is necessary for operational reasons and the initial invitation to tender made it clear that a contract may be extended.

Zimbabwe

Mr. Purchase: To ask the Secretary of State for International Development if she has recently reviewed the effectiveness of United Kingdom development efforts in Zimbabwe. [157802]

Clare Short: I have since 1997 kept our development programme in Zimbabwe under regular review. We remain committed to helping the poorest in Zimbabwe who are suffering the combined effect of economic mismanagement and the HIV/AIDS pandemic. But the situation in Zimbabwe is difficult and we continue to work only where we are confident our support can be effective.

For this reason we have today written to the Zimbabwe Government informing them that we are ending our support to the Privatisation Agency of Zimbabwe and to a Trade Policy Capacity Building Programme. In the continued absence of Government policies likely to reverse current economic decline and reduce poverty, I concluded that these projects were likely to have little beneficial impact for the people of Zimbabwe.

Micro-finance Institutions

Mr. Boswell: To ask the Secretary of State for International Development what action her Department is taking to encourage access to micro-finance institutions in developing countries. [156598]

Clare Short: Gaining access to simple, low cost savings and insurance services helps poor families in developing countries to reduce their vulnerability to economic shocks. Small-scale loans from micro-finance institutions (MFIs) also play a very important role in encouraging entrepreneurs to invest in their business, where they are unable to obtain a loan from a conventional commercial bank.

Despite the success of many MFIs in extending savings and credit sustainability to the poor, these services still reach only a tiny proportion of those that need them. Recognising the importance of MFIs in reducing poverty, DFID provides technical and financial support to raise standards in micro-finance, to improve commercial viability, and to extend outreach to millions more poor families. This support is provided in a number of ways.

DFID is a founding member of the Consultative Group to Assist the Poorest (CGAP). CGAP is an international coalition of donors and practitioners working to improve the quality and scale of micro-finance services worldwide, through the development and dissemination of best practice.

DFID supports a large number of MFIs directly, including BRAC and PROSHIKA in Bangladesh, FINCA in Tanzania and KASHF in Pakistan.

DFID also encourages innovation in the provision of financial services to the poor. It supports a micro-leasing company in Uganda, and the replication of indigenous savings methodologies through MFIs in east and southern Africa under the "MicroSave" initiative.

Finally, DFID strengthens links between MFIs and mainstream capital markets—whether commercial banks or equity investors—so as to mainstream micro-finance in the financial markets of developing countries.

FOREIGN AND COMMONWEALTH AFFAIRS

Mercenaries

Mr. Bruce George: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Green Paper on mercenaries will be published; and what are the reasons for the delay. [156151]

Mr. Battle: Unfortunately, it proved impossible to publish the Green Paper on mercenary activity as expected by the end of November 2000.

The issue is a complex one. It is important therefore to work carefully through the details. I can assure the House that work on the Paper is continuing.

Private Military Companies

Mr. Bruce George: To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts officials in his Department have had with representatives of private military companies since guidelines were introduced as a result of the Legg Inquiry. [156152]

Mr. Battle: There is no accepted definition of a private military company. Since guidance was introduced, contacts have been recorded with 15–20 companies which may be judged to fall within the category of private military/security companies. These have been principally inquiries regarding general HMG policy towards particular parts of the world.

Mr. Bruce George: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of private military companies that are operating out of the UK. [156153]

Mr. Battle: Due to difficulties of definition, the possible blurring of boundaries between private military companies and private security companies, and the frequent shift of company identities and locations in this sector, there is no current definitive estimate of the number of private military companies operating out of the UK.

Sri Lanka

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Sri Lankan authorities concerning the attack on 18 February upon a Christian church in the Hingurangoda district of Sri Lanka; and if he will make a statement. [157243]

Mr. Wilson: We condemn all such acts of violence against civilians wishing to exercise their right to religious freedom. We are pleased to see that the Sri Lankan Government have condemned this unprovoked attack and that the President has ordered an immediate inquiry. We hope that this will be completed soon and that it will be open and transparent.

British Forces' Detention (Soviet Union)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigations have been made in collaboration with the Commonwealth of Independent States on the detention of members of the British Forces in the Soviet Union after *(a)* the Second World War and *(b)* the Korean War; and if he will make a statement. [156772]

Dr. Moonie: I have been asked to reply.

Advantage was taken of the changed climate at the end of the Cold War to liaise with the Russian authorities on whether they possessed information on the few British Service men whose fate as prisoners of war remains unknown following the Second World War and Korean War, in spite of extensive investigation.

This and further detailed research into allegations that British Service men were detained by the Soviet Union after the Second World War has revealed no evidence that the Soviet authorities had a policy of detaining British Service men. Equally, no evidence has been found that British prisoners of war were detained in Korea or elsewhere after the post-armistice repatriations at the end of the Korean War.

TREASURY

Opinion Polling

Mr. St. Aubyn: To ask the Chancellor of the Exchequer what *(a)* quantitative and *(b)* qualitative analytical work Her Majesty's Treasury has commissioned from GGC/NOP since 1 May 1997; and what was (i) the cost of the contract and (ii) the specific nature of the work commissioned. [155661]

Mr. Andrew Smith *[holding answer 28 March 2001]:* None.

Resource Accounts

Mr. Sheerman: To ask the Chancellor of the Exchequer on what date the resource accounts for each class for 1999–2000 were laid before Parliament; and from what date in each case copies were available to hon. Members in the Vote Office. [155444]

Mr. Timms *[holding answer 29 March 2001]:* The dates on which departmental resource accounts were laid before the House of Commons are listed in the table.

Class reference[1]	*HC no.*	*Cmd no.*[2]	*Departments*	*Date laid*
I	182		DFEE	31 January 2001
I	189		Teachers Pension Scheme	31 January 2001
I	155		Ofsted	25 January 2001
II	188		NHS Pension Scheme (England and Wales)	31 January 2001
II	194		Department of Health	31 January 2001
III		5054	Department of Environment, Transport and the Regions	30 March 2001
III	176		Ofwat	31 January 2001
III	184		ORR	31 January 2001
IV		5055	Home Office	30 March 2001
IV	191		Charity Commission	31 January 2001
V		5056	Lord Chancellor's Department	30 March 2001
V		5060	Treasury Solicitors	30 March 2001
V	193		Crown Prosecution Service	31 January 2001
V	134		Public Records Office	25 January 2001
V	198		Serious Fraud Office	31 January 2001
V	199		Northern Ireland Court Service	31 January 2001
VI	4		Armed Forces Pension Scheme—MOD	13 December 2000
VI	50		Defence—MOD Consolidated	31 January 2001
VII	195		FCO	31 January 2001
VIII	116		DfID	31 January 2001
VIII	187		DfID—Superannuation Pensions	31 January 2001
IX	11		DTI—Main	20 December 2000
IX	51		ECGD	20 December 2000
IX	24		Ofgem	20 December 2000
IX	75		OFT	31 January 2001
IX	151		Oftel	31 January 2001
IX	10		UK Atomic Energy Authority—DTI	20 December 2000
X		5057	MAFF	30 March 2001
X	196		Forestry Commission	31 January 2001
X	201		Forestry Commission Pension Scheme	31 January 2001
X	833		Intervention Board Executive Agency	9 November 2000
XI	181		DCMS	31 January 2001
XII	183		DSS	31 January 2001
XIII	186		Scotland Office	31 January 2001

Class reference[1]	HC no.	Cmd no.[2]	Departments	Date laid
XIV	96		Wales Office	24 January 2001
XV		5058	Northern Ireland Office	30 March 2001
XVI		5062	HM Treasury	30 March 2001
XVI	192		Crown Estate	31 January 2001
XVI	165		Customs and Excise	31 January 2001
XVI	830		Department of National Savings	2 November 2000
XVI	153		GAD	31 January 2001
XVI	129		Inland Revenue	24 January 2001
XVI	798		National Investment and Loans Office	22 November 2000
XVII	185		Office for National Statistics	31 January 2001
XVII		5053	Cabinet Office	30 March 2001
XVII		5059	Security and Intelligence Agencies	4 April 2001
XVII		5061	Cabinet Office: Civil Superannuation	30 March 2001
XVII	190		Central Office for Information	31 January 2001
XVII	197		Privy Council Office	31 January 2001

[1] The system of 'class' and 'vote' numbering applies solely to appropriation accounts rather than resource accounts; the numbers above indicate the corresponding 'class' of the Departments' appropriation account
[2] With the agreement of the NAO, these accounts were due for presentation as Command Papers by 30 March 2001

Provision of copies of these accounts by the Vote Office is a matter for the House Authorities, though I understand that these accounts should be available to hon. Members within a few days of being laid.

Foot and Mouth

Sir Michael Spicer: To ask the Chancellor of the Exchequer if roll-over relief is available to farmers receiving lump sum compensation for foot and mouth disease who wish to reinvest in livestock in future years. [156900]

Mr. Andrew Smith *[holding answer 5 April 2001]:* Animals used in a farming trade are not chargeable assets for capital gains purposes. They are part of a farmer's trading stock so that any compensation for their loss will be on revenue rather than capital account and form part of the farmer's trading income.

Compensation received for animals that have been compulsorily slaughtered is treated in the same way as the proceeds would have been if the animals had been sold. As this is income for tax purposes capital gains tax roll-over relief is not applicable.

Where the herd basis applies, the profit from the disposal of production animals is deferred until they are replaced and the profit is exempt if they are not replaced. Special rules allow profits on the disposal of other animals compulsorily slaughtered to be spread over three years.

The Revenue and Customs are committed to helping individuals and businesses in difficulty as a result of the foot and mouth outbreak. They will respond sympathetically in all cases where customers need help in understanding their entitlements or who are experiencing difficulty in paying tax or national insurance. The Revenue Departments have set up a joint helpline. The number is 0845 300 0157.

Mr. Chope: To ask the Chancellor of the Exchequer (1) if applications for temporary rate reductions made because of the foot and mouth epidemic will be given priority over outstanding appeals against the 2000 rating list; [157380]

(2) what targets have been given to the Valuation Office for determining applications for temporary reductions in business rates on the grounds of the impact of the foot and mouth crisis; [157381]

(3) how many applications have been made for a temporary reduction in business rates arising from the foot and mouth epidemic. [157382]

Dawn Primarolo: In England and Wales to date there have been at least 23,000 appeals made for a temporary reduction in rating assessments on the grounds of the impact of foot and mouth. It will be the Valuation Office Agency's policy to prioritise dealing with such applications. The Valuation Office Agency has recently introduced a system for the structured programming of appeals against rating assessments. As a matter of urgency it is considering how, within this system, to prioritise appeals resulting from the foot and mouth epidemic.

R and D Tax Credit

Mrs. Ewing: To ask the Chancellor of the Exchequer how many firms have taken advantage of the research and development tax credit for small and medium-sized enterprises. [157387]

Mr. Timms: Figures for the number of firms that have taken advantage of R and D tax credits will not be available until 2002, when firms incurring R and D expenditure have sent in their tax returns for the first year of operation of the scheme. However, enhanced capital allowances since 1997 and new tax credits to encourage investment and innovation have already saved business over £1 billion.

European Community (Contributions)

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer what the total value was of the rebates on the UK's contributions to the EEC budget secured by Governments between 1979 and 1987. [157375]

Miss Melanie Johnson: Details of the United Kingdom's abatement for the years 1985–86 to 1987–88 can be found at Table 20.1 of "The Government's Expenditure Plans 1990–91 to 1992–93" (Cm 1018, January 1990). Details of negotiated refunds for the years

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1980–81 to 1984–85 can be found at Table 3.3 of "The Government's Expenditure Plans 1986–87 to 1988–89" (Cmnd 9702-II, January 1986).

National Minimum Wage

Mr. Donohoe: To ask the Chancellor of the Exchequer (1) what estimate he has made of the additional income received by residents of Cunninghame, South constituency following the introduction of the national minimum wage; [157396]

(2) how many residents of Cunninghame, South constituency *(a)* have benefited from the introduction of the national minimum wage and *(b)* will benefit from the rise in the level of the national minimum wage. [157397]

Mr. Timms: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Brian H. Donohoe, dated 6 April 2001:

As National Statistician, I have been asked to reply to your recent questions about the benefits of the National Minimum Wage (NMW) in Cunninghame South constituency (157396, 157397).

The Office for National Statistics has published estimates of the number of jobs paid at less than NMW rates for 1998, 1999 and 2000. These estimates are based on an improved methodology using data from the New Earnings Survey (NES) and Labour Force Survey (LFS). This methodology provides the best estimates for the number of jobs in the UK paid below low hourly rate thresholds and was developed to overcome the deficiencies inherent in using the NES and LFS separately for measuring low pay.

Estimates for the United Kingdom and Government Office Regions are posted on the National Statistics website at:

www.statistics.gov.uk/nsbase/themes/labour_market/nmw_lowpay_tables.asp

Estimates based on this methodology are not available for the number of jobs paid below NMW rates at Parliamentary Constituency level.

NORTHERN IRELAND

Disability Living Allowance

Mr. Boswell: To ask the Secretary of State for Northern Ireland (1) how many recipients of Disability Living Allowance higher mobility component in Northern Ireland qualify because they are both blind and deaf; [157408]

(2) how many Disability Living Allowance recipients, whose main disability is deafness, are aged between 16 and 64 and live in Northern Ireland; [157410]

(3) how many Disability Living Allowance recipients there are in Northern Ireland, and how many there were in each of the last seven years, whose main disabling condition is deafness; [157405]

(4) if he will publish a breakdown of disability living allowance awards in Northern Ireland for which deafness is the main disabling condition by *(a)* the rate of each component and *(b)* age; [157407]

(5) if he will publish a breakdown of Disability Living Allowance awards in Northern Ireland for which deafness is the main disabling condition by *(a)* age and *(b)* type of award, indicating (i) care only components, (ii) mobility only components and (iii) combined care and mobility components; [157406]

(6) how many recipients there are in Northern Ireland of *(a)* higher and *(b)* lower rate Attendance Allowance. [157409]

Dr. Reid: Responsibility for this matter has now been devolved to the Northern Ireland Assembly and is therefore no longer a matter for the Secretary of State for Northern Ireland.

Fuel Poverty

Mr. Don Foster: To ask the Secretary of State for Northern Ireland what considerations underlay the decision to exclude housing benefit and income support on mortgage interest from a household's income when determining whether that household suffers fuel poverty, as stated in Box 10.1 of The UK Fuel Poverty Strategy. [157452]

Dr. Reid: Responsibility for this matter has now been devolved to the Northern Ireland Assembly and is therefore no longer a matter for the Secretary of State for Northern Ireland.

TRADE AND INDUSTRY

Ministerial Meetings

Mr. Baker: To ask the Secretary of State for Trade and Industry how many times *(a)* Lord Sainsbury and *(b)* other Ministers from his Department met with Nadhmi Auchi of General Mediterranean Holdings Ltd.; and if he will list the (i) dates and (ii) locations of those meetings. [156883]

Mr. Byers *[holding answer 4 April 2001]:* Lord Sainsbury has met Mr. Auchi on one occasion, at a dinner hosted by Mr. Auchi on 23 April 1999 at the Park Lane Hotel Piccadilly. The Department has no record of any other meetings having taken place between DTI Ministers and Mr. Auchi.

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997 [157135]

Mr. Caborn: The constituency of Amber Valley has benefited from a range of initiatives since May 1997 including:

Regional Selective Assistance

A discretionary grant which provides assistance towards capital projects which would not otherwise go ahead and will create or safeguard employment in an Assisted Area. Grant totalling £3,405,000 has been offered to 10 companies supporting total capital expenditure of £19,126,000 with the aim of safeguarding 559 existing full time jobs and creating in excess of 160 new full time jobs.

Smart

Discretionary grant available to SMEs to help them develop technologically innovative products and processes. Grant totalling £643,819 has been offered to nine projects supporting total project costs in excess of £1,822,000.

Enterprise Grant

A new discretionary grant introduced in 2000. Provides support to SMEs investing in capital projects which would not otherwise go ahead. Grant totalling £286,389 has been offered to eight businesses supporting project costs in excess of £2,258,000.

Business Link

The Business Link network provides a wide range of business advice and support to SMEs. It is not possible to accurately isolate Business Link data for the Amber Valley constituency area. However, from 1997 to date, Business Link South Derbyshire, which includes the Amber Valley constituency, has helped a total of 2005 businesses and assisted 668 business start ups.

Gibraltar

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry (1) what representations he has received regarding using the Gibraltar international direct dialling code prefix 350; [156129]

(2) if he will make a statement on the arrangement set in place to handle internationally dialled telephone calls to Gibraltar using the Gibraltar international direct dialling code prefix 350; [156133]

(3) what representations he has made to the European Commission regarding the handling of internationally dialled telephone calls routed through Spain and destined for Gibraltar. [156130]

Ms Hewitt: We remain deeply concerned about the unsatisfactory situation of telecommunications services in Gibraltar. Spain does not recognise Gibraltar's international direct dialling code (350). This code is however recognised by every other country in the world.

The Government of Gibraltar have brought to our attention the increasing problem of international calls from countries other than Spain failing to reach their destination in Gibraltar. Some calls from third countries are diverted via Spain by Lease Cost Routing technology, in order to reduce costs.

We are working hard to ascertain the exact cause of the problem of dropped calls, and to identify the best way forward. There are a number of possible technical and commercial considerations which need to be examined. We have drawn the situation to the attention of both the Spanish Government and the Commission, and will pursue the problem as a matter of urgency.

Digital Television

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what impact the Office of Fair Trading inquiry into BSkyB will have on the timetable to switch off analogue television channels and accelerate the take-up of digital TV. [R] [157142]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry is unable to comment on a Competition Act inquiry by the Office of Fair Trading while it is being undertaken. The Director General of Fair Trading expects to reach a view by this summer on whether or not an infringement decision should be issued against BSkyB.

Postal Services

Mrs. Ewing: To ask the Secretary of State for Trade and Industry who will represent the United Kingdom at the next meeting of the Council of the European Union (Transport and Communications); and what position the UK's representative will take on amending Directive 96/97/EC with regard to the further opening up to competition of Community postal services. [157391]

Mr. Alan Johnson: My hon. Friend the Minister of State for Small Business and E-Commerce represented the UK at this month's Transport and Telecommunications Council on 4–5 April 2001. There are no plans for a substantive discussion on the proposal to amend Directive 97/67/EC at this Council; this item is on the agenda for information only in order to provide a progress report and an indication of the Presidency's plans for taking forward the debate with the aim of achieving a political compromise at the Telecommunications Council to be held at the end of June. The UK supports the Presidency in its objective to work for an agreement on the further opening up to competition of Community postal services provided appropriate safeguards are in place to maintain the universal service at a uniform tariff.

Civil Aircraft Projects

Mr. Gerald Howarth: To ask the Secretary of State for Trade and Industry how much Government aid has been granted by his Department, and its predecessor, in support of civil aircraft projects since 1971, excluding Airbus projects; and if he will set out the amounts *(a)* granted in respect of each project and *(b)* recovered by way of sales and licensing levies. [157377]

Mr. Alan Johnson: Since 1971 the following launch investment project *(a)* commitments and *(b)* amounts recovered, excluding Airbus projects, which the Government have made are as follows:

£ million

	(a)	*(b)*
To Rolls-Royce for the Trent 600/900 in 2001	200	[1]—
To Rolls-Royce for the Trent aeroengine in 1997	250	7.7
To Shorts for the Learjet 45 in 1995	17.7	[1]—
To Rolls-Royce for the V2500 in 1985	60	29.6
To Westland for the EH101 in 1984	60	[1]—
To Westland for the W30–200 in 1982	39.3	[2]—
To Rolls-Royce for the RB211 in 1974	439.4	277.2
To Hawker Siddeley for the HS146 in 1972	7.8	[3]—

[1] Not yet due
[2] None recovered
[3] Levies not payable

LORD CHANCELLOR'S DEPARTMENT

Litigants in Person

Mr. Chope: To ask the Parliamentary Secretary, Lord Chancellor's Department how many civil actions, other than in the small claims court, have been commenced in each of the last five years by litigants in person. [157360]

Jane Kennedy: Figures showing the number of trials in the county courts conducted by litigants in person are set out in the table.

Litigants appearing in person during county court trials England and Wales figures, 1996–2000

Year	Number county court trials	Claimant	Defendant
Litigants in person			
1996	19,608	2,400	3,550
1997	15,311	1,590	3,020
1998	14,202	1,080	1,900
1999	13,437	880	1,660
2000	15,397	1,230	2,280
Percentage in person			
1996	19,608	12.2	18.1
1997	15,511	10.3	19.5
1998	14,202	7.6	13.4
1999	13,437	6.5	12.4
2000	15,397	8.0	14.8

Mr. Chope: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish guidance for those wishing to pursue civil claims as litigants in person which fall outside the scope of the small claims court. [157359]

Mr. Lock: The Court Service publishes a comprehensive series of leaflets, which explain basic court procedures starting from making a claim to enforcement procedures. They all include information that goes beyond the small claims procedure.

The leaflets are specifically aimed at litigants in person and use plain English in a question and answer format. Since the Court Service launched its Welsh Language Scheme on 9 August 2000 some Court Service leaflets are now also available in Welsh.

The leaflets are available free from any county court office or from the Court Service website. Advice agencies such as the Citizens Advice Bureaux also supply some Court Service leaflets to their customers.

EDUCATION AND EMPLOYMENT

School Achievement Awards

Mr. Chope: To ask the Secretary of State for Education and Employment (1) when it was decided that improvement awards should be given to all schools showing an improvement of at least 2.2 in the Key Stage 2 average point scores between 1997 and 2000; and what consultation was carried out prior to deciding the criterion; [157357]

(2) when it was decided that improvement awards should be given to all schools at Key Stage 1 showing an improvement of at least 1.4 in the average point scores between 1997 and 2000; and what consultation took place with schools about the criterion for deciding awards; [157355]

(3) when it was decided that improvement awards should be given to all schools showing an improvement of at least 4.9 in GCSE/GNVQ average point scores between 1997 and 2000; and what consultation was carried out prior to deciding on the criterion; [157354]

(4) when it was decided that improvement awards should be given to all schools showing an improvement of at least 0.80 in Key Stage 3 average point scores between 1997 and 2000; and what consultation was carried out prior to deciding the criterion. [157356]

Ms Estelle Morris: We consulted relevant national bodies about the design of the School Achievement Awards Scheme in May and June last year. We proposed then, and confirmed in September, that about 30 per cent. of maintained schools in England would receive awards, that about three quarters of these awards would be for improvement, that schools would be ranked by the differences between their Key Stage test or GCSE/GNVQ average point scores in 1997 and 2000, and that improvement awards would be given to the highest ranking schools. The minimum increases in average point scores required for improvement awards were consequences of this process.

Mr. Chope: To ask the Secretary of State for Education and Employment if he will make it his policy not to disadvantage schools which have been notified of a financial award by his Department which is based upon an administrative error; and if he will make a statement. [157385]

Ms Estelle Morris: As the hon. Member knows, a number of schools were incorrectly told that they would receive a School Achievement Award. We have made it clear to them that they will receive the financial value of the award.

Mr. Chope: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of the error made by his Department in identifying schools which had won achievement awards in 2001. [157384]

Ms Estelle Morris: The cost of additional awards will be £1.9 million.

Sex Education

Mr. Swayne: To ask the Secretary of State for Education and Employment what estimate he has made of the use of homosexual role-play in school sex education classes; and if he will make a statement. [156774]

Jacqui Smith: We have made no estimate of the extent of this type of role playing in schools; Ofsted have reported no such incidents. The Learning and Skills Act 2000 places a statutory duty on schools to protect pupils from inappropriate teaching and materials. Our Sex and Relationship Education guidance is clear that teachers should be able to deal honestly and sensitively with sexual orientation. There should be no direct promotion of sexual orientation.

Best Value

Mr. Gapes: To ask the Secretary of State for Education and Employment what consultations were held between his Department and the Department of the Environment, Transport and the Regions about the content of Best Value Performance Plans required of local authorities. [156444]

Ms Estelle Morris: My Department has been consulted about published documents on Best Value, including the final version of the statutory guidance on Best Value Performance Plans in DETR Circular 10/1999. Officials from both Departments meet regularly to discuss the implementation of Best Value.

Mr. Gapes: To ask the Secretary of State for Education and Employment what plans he has to change the year of calculation for education targets in best value performance plans to a school year basis. [156441]

Ms Estelle Morris: Our aim in introducing best value performance indicators has been to minimise burdens on local authorities by linking them to existing data collection exercises. Some of the education performance indicators are calculated on a school year basis, apart from those for expenditure and for special education needs. Compiling these on a school year would create work for local authorities, and make education expenditure indicators out of line with those for other authority services. Furthermore, any significant change in calculation method would mean that local authorities lose historical trends over time.

Class Sizes (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list for each year since 1992 the average primary school class size for schools in Shropshire; and if he will make a statement. [156568]

Ms Estelle Morris: The data requested have been placed in the Library.

Information on class sizes as at January 2001 will be published in a Statistical First Release 'Class Sizes in Maintained Schools in England January 2001' on 6 April.

The latest infant class size data for September 2000 were published in a Statistical First Release 'Infant Class Sizes in England 2000' on 1 November, copies of which are available from the Library, or alternatively can be accessed from the Department for Education and Employment statistical website www.dfee.gov.uk/statistics. Figures from this release show that since September 1998, 324,000 five, six and seven-year-olds have benefited from the Government's infant class size initiative. In September 2000, 30,000 children were in classes of 31 or more children, compared with 171,000 in September 1999. This demonstrates that the Government are delivering early our infant class size pledge, which is supported by some £620 million.

Teacher Training

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment what proportion of those who completed a teacher training course were full-time teachers three years later in each of the last three years for which figures are available. [155649]

Ms Estelle Morris *[holding answer 29 March 2001]:* The information is in the table.

Percentage of teachers who were in full-time teaching in the maintained schools sector in the third year after completing their Initial Teacher Training

Year of completion of Initial Teacher Training	*Percentage*
1994	66
1995	65
1996 (provisional)	66

The number of regular teachers (excluding short-term supply) in the maintained schools sector in England at January 2000 was 404,600, the highest for 10 years and 6,900 higher than January 1998.

There was a growth of 2,300 in the number of people recruited to train as teachers between 1999–2000 and 2000–01, the first such increase since 1992–93.

From April 2001 new graduate recruits can expect to earn £17,000 a year (up 6 per cent. from the previous year) and starting salaries in Inner London will rise to £20,000 (up 9 per cent. from the previous year).

Schools (Battersea)

Mr. Linton: To ask the Secretary of State for Education and Employment if he will list the additional resources his Department has made available to schools in Battersea since 1997 according to sector; and under which scheme or fund they are provided. [154831]

Jacqui Smith: Information showing the schools in the Battersea constituency that benefited from capital investment under the New Deal for Schools is shown in Table A. These allocations formed part of the £4.651 million investment made so far in schools in the London borough of Wandsworth local education authority under the New Deal for Schools programme.

The New Deal for Schools was introduced as a new additional programme targeted specifically at addressing the backlog of urgent repairs in school buildings that had built up after 18 years of under-funding under the previous Administration. It has been in addition to other capital funds made available to the London borough of Wandsworth local eduction authority. In total, since 1997, the London borough of Wandsworth local education authority has received some £13.214 million of funding for capital investment in school buildings as shown in Table B.

Nationally, investment in school buildings has tripled from £683 million a year in 1996–97 to over £2 billion in 2000–01. It will be £3.5 billion in 2003–04, including grant, credit approvals and Private Finance Initiative credits. There will be central Government investment of £8.5 billion in school buildings in total from 2001–02 to 2003–04. Capital investment already allocated to the London borough of Wandsworth local education authority in 2001–02, including the increases announced by the Chancellor in the Budget statement of 7 March, amounts to £5.942 million.

I refer my hon. Friend to the letter sent to him by my right hon. Friend the Secretary of State on 16 February for details of increases to revenue funding for schools in the London borough of Wandsworth. An extract of revenue funding allocated is shown in Table C. Information at constituency level or sector is not readily available.

Table A: New Deal for Schools (NDS)—Allocation for schools in the Battersea constituency

Year/school	*Project*	*Grant awarded (£)*
1997–98		
Alderbrook Primary	Replace gas heaters	[1]135,000
Joseph Tritton Primary	Provide a secure main entrance with CCTV	
1998–99		
Chesterton (with Chantfield) Primary	Replacement of three asbestos clad huts	123,338
St. George's C of E Primary (VA)	Renew heating pipework system	73,840
Joseph Tritton Primary	Major works to corroded boundary wall	57,477
Honeywell Infant	Demolition of old dining hall and outside toilets and replacement with new	194,419
Honeywell Junior	Demolition and replacement of old dining hall and outside toilets	196,299
Borough wide package of 22 schools	Safety of chimneys/flue renewals	[2]379,500
1999–2000		
Included within a 12 school package:		
Belleville Primary High View Primary The Vines Wix Primary	Renewal of mechanical and electrical services	[2]1,015,500
Included within eight school package:		
Chesterton Community College	Asbestos removal	[2]157,886
2000–01		
Included within a 12 school package:		
Allfarthing Primary Battersea Technology College Bolingbroke Primary John Burns Primary	Renewal of roof and associated drainage works	[2]1,621,017
Chesterton Primary	Replacement of temporary classrooms	234,240

[1] Local education authorities (LEAs) were not required to specify individual project costs for phase 1 of the NDS programme, so the amount shown is the total allocation in that year to the LEA. London borough of Wandsworth local education authority holds project level information

[2] Denotes total allocation made to package projects covering more than one school. London borough of Wandsworth local education authority will be able to advise the value of projects at schools which have benefited from these allocations

Note:

Funding by sector is not readily available except where specific allocations to Voluntary Aided (VA) schools are identified

Table B: All capital allocations to London borough of Wandsworth local education authority

£000

	1997–98	*1998–99*	*1999–2000*	*2000–01*
Annual Capital Guideline (ACG) Basic Credit Approvals	50	274	1,614	1,166
Supplementary Credit Approvals (SCAs)	212	98	26	124
Grant to Voluntary Aided (VA) Schools	428	229	142	715
New Deal for Schools (NDS)	135	865	1,016	2,635
School Security Grant	36	45	59	59
Energy Efficiency Initiative	—	25	—	—
Class Size Initiative	—	—	115	108
National Grid for Learning (NGfL) Grant	—	292	455	580
Assistance with Asset Management Plans	—	—	23	—
Seed Challenge Initiative	—	—	—	133
Devolved Formula Capital for Schools	—	—	—	659
Additional Devolved Formula Capital for Schools	—	—	—	593
Renewal of School Laboratories	—	—	—	124
Nursery Provision	—	—	—	68
Schools Access Initiative (Grant)	—	3	26	16
Outside Toilet Initiative	—	66	—	—
Total	861	1,897	3,476	6,980

Note:

Funding by school sector is not readily available, other than where specific grant to the Voluntary Aided sector is shown above. Other programmes may, however, include funding for Voluntary Aided schools.

Table C: Revenue funding allocations—London borough of Wandsworth local education authority

£ million

	Standard spending assessment	Grants
1997–98	89.1	3.1
1998–99	93.7	1.2
1999–2000	98.2	3.2
2000–01	101.9	8.9

Note:
The following revenue grants have been included: DfEE contributions to the Standards Fund; Class Size Reduction Grant; Funding for Education Action Zones; Grant for Nursery Vouchers in 1997–98; School Budget Support Grant; School Standards Grant; and Education Budget Support Grant.

Battersea Technology College

Mr. Linton: To ask the Secretary of State for Education and Employment what funding has been made available, listed by project and funding scheme, for pupils and teachers at Battersea Technology College, since 2 May 1997. [154820]

Ms Estelle Morris: Most funding provided by the Department is distributed via local education authorities. The initial budget share for 1998–99 to 2000–01 financial years made available by Wandsworth Local Education Authority to Battersea Technology College is set out in the table. Figures for 1997–98 are not readily available. In addition, Battersea Technology College received £40,000 School Standards Grant in 2000–01. It also received at least £218,069 in 2000–01 through the Standards Fund. Figures for payments through the Standards Fund are not available for 1998–99 and 1999–2000. The Department does not hold information relating to specific projects and project schemes made available at Battersea Technology College since 2 May 1997.

£

	Budget share	Per pupil (average)
1998–99	1,155,000	2,608
1999–2000	1,351,000	2,712
2000–01	1,930,399	2,907

Circulars

Mrs. May: To ask the Secretary of State for Education and Employment if he will list by date the circular documents which have been sent by his Department to *(a)* local education authorities, *(b)* primary schools and *(c)* secondary schools since 1 May 1997; and how many pages each document contained. [148352]

Jacqui Smith *[holding answer 2 February 2001]:* Our monthly batched mailings to schools clearly distinguish between documents requiring action and those for guidance and information. Since May 1997 schools have had an average of one action document a fortnight during term time from DFEE. Many of these related to literacy and numeracy, teachers pay or funding improvements. Most items sent are for information only.

Since September 2000, we have sent less automatically to schools. Of the 47 documents sent to all primary schools since September 2000 only 11 required action. The main documents of substance were the guide to improve grammar teaching and the autumn package of benchmarking data on pupil performance.

The position for secondary schools was similar. Of the 48 documents sent since September 2000 only 11 required action. The main document of substance was the autumn package of benchmarking data on pupil performance.

The table shows for each school how many documents we sent to all primary or all secondary schools. Many documents went to both types of school and are counted in each list. The full list of titles is in the Library.

Mailings to all primary or all secondary schools by school year

Items

	1997–98	1998–99	1999–2000	'2000–01
Primary				
Literacy and numeracy—items for action	1	3	2	0
Literacy and numeracy—information/guidance	12	9	10	4
National curriculum—items for action	2	0	3	0
National curriculum—information/guidance	11	7	25	4
Teachers pay and school funding—items for action	2	7	3	2
Teachers pay and school funding—information/guidance	8	2	48	9
Other material requiring action	7	9	8	9
Information and guidance on other topics	43	59	47	19
Secondary				
Literacy and numeracy—items for action	0	0	2	0
Literacy and numeracy—information/guidance	3	2	3	0
National curriculum—items for action	0	0	3	0
National curriculum—information/guidance	4	7	31	4
Teachers pay and school funding—items for action	1	3	3	2
Teachers pay and school funding—information/guidance	11	9	48	10
Other materials requiring action	14	14	12	9
Information and guidance on other topics	52	80	62	23

' 2000–01 to end March only

A list of documents sent to LEAs since March 2000 has also been placed in the Library. My answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) on 22 March 2000, *Official Report*, column 571W, gave the number of mailings prior to this date. Page lengths of mailings to LEAs are not recorded centrally.

CULTURE, MEDIA AND SPORT

Foot and Mouth (Tourism)

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to convey accurate information to foreign tourists of the impact of foot and mouth disease on human health. [157026]

Janet Anderson: My Department is working closely with the British Tourist Authority (BTA) to ensure that the message that foot and mouth disease has no adverse effect on human health and that Britain is open to business is conveyed to overseas visitors. Where concerns have been expressed, BTA's overseas offices have held briefings for the local media and travel trade to provide accurate information and reassurance about travelling to Britain. Information is also available to overseas media and the public through BTA's overseas call and visitor centres.

BTA has been, and is continuing to monitor press and public opinion in all its key priority markets. On 20 March I visited New York to help spread the message that Britain is open for business and dispel all the rumours that had started appearing in the American national press about public safety.

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport if compensation will be made available to non-rural tourism businesses that have been adversely affected by foot and mouth disease. [157050]

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what compensation will be made available to those in the tourist industry in *(a)* the Chorley area and *(b)* Lancashire following the foot and mouth outbreak. [157312]

Janet Anderson: My right hon. Friend the Minister for the Environment announced on 20 March a package of measures to help those adversely affected by the foot and mouth outbreak. The Government are considering the need for further measures in the light of the latest developments.

Wembley Stadium

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on *(a)* the use of lottery money for the new Wembley Stadium and *(b)* the amount of lottery money proposed for the new Wembley Stadium. [157316]

Kate Hoey: Sport England have committed £120 million to the Wembley Stadium project. The bulk of this money—£103 million—was used to secure the purchase of the stadium site in January 1999.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what discussions he has held with the Cabinet Office on overseeing the new Wembley Stadium project. [157544]

Kate Hoey: No discussions have been held with the Cabinet Office about the Wembley Stadium project.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport (1) how often meetings are held between him and the Chairman of the new Wembley Stadium Company; [157317]

(2) when he last met the Chairman of the new Wembley Stadium Company. [157313]

Kate Hoey: My right hon. Friend the Secretary of State and I meet Sir Rodney Walker from time to time to discuss a wide range of issues including his new responsibility as Chairman of Wembley National Stadium Ltd. as well as his other duties including that of Chairman of UK Sport. My right hon. Friend and I last met Sir Rodney on 1 February.

Tourism (Lancashire)

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the impact on tourism in Lancashire of the foot and mouth outbreak. [157311]

Janet Anderson: We are making inquiries of a range of tourism-related bodies to determine the impact of foot and mouth disease on tourism businesses. This research is at an early stage and therefore no figures are yet available. The English Tourism Council and the Regional Tourist Boards are also implementing research to assess the impacts at local level. However, the North West Tourist Board estimates that the potential impact on tourism income in the north-west is around £6 million and is threatening around 200 jobs per week. No figures relating specifically to Lancashire are available.

New Millennium Experience Company

Mr. Simon Hughes: To ask the Secretary of State for Culture, Media and Sport when and how the papers of the New Millennium Experience Company will be opened for public scrutiny; and if he will make a statement. [157244]

Janet Anderson: I refer the hon. Gentleman to the answer I gave the hon. Member for Lewes (Mr. Baker) on 29 March 2001, *Official Report*, columns 715–16W.

Religious Broadcasting

Mr. Wilkinson: To ask the Secretary of State for Culture, Media and Sport if he will take steps to end the BBC's monopoly of religious broadcasting. [157259]

Janet Anderson: All public service broadcasters are committed to carrying religious programming. Such programming is an important element of public service provision and the Government reaffirmed in the White Paper "A New Future for Communications", which was published on 12 December 2000, that it will continue to be so. The White Paper invited comments on whether the current restrictions on ownership of broadcasting licences by religious organisations should be relaxed in the new legislation, and the Government are currently considering the responses.

Mr. Wilkinson: To ask the Secretary of State for Culture, Media and Sport on what grounds Christian broadcasting organisations are not allowed access to the air waves in the UK; and if he will review the matter. [157260]

Janet Anderson: The Broadcasting Act 1990 disqualifies religious organisations from holding broadcasting licences, except where the regulators are satisfied that it is appropriate for such bodies to hold licences for licensable programme services, satellite television, or local analogue, cable or satellite radio

services. The White Paper, "A New Future for Communications", which was published on 12 December 2000, proposed that religious organisations should also be allowed to hold local digital radio licences. These restrictions have been considered necessary to safeguard pluralism in the media and to avoid religious discrimination: capacity constraints mean that one religious organisation may be able to hold a licence where another may not. Nevertheless, the White Paper invited comments on whether these restrictions should be relaxed, and we are currently considering the responses.

SOCIAL SECURITY

Bereavement Benefits

Kali Mountford: To ask the Secretary of State for Social Security what plans he has to ensure that widowers will get the new bereavement benefits from April. [157948]

Mr. Rooker: Bereavement Benefits will concentrate the help available where and when it is needed most: on immediate needs and on families with children. Men who are widowed on or after 9 April 2001 will be able to claim Bereavement Benefits. But existing widowed fathers, with children in full-time education whose wives died before that date, are also eligible to claim the new Widowed Parent's Allowance. Invitations to make a claim have been sent to over 13,000 men whose Child Benefit records indicate may be eligible.

We have publicised the new benefits through relevant leaflets, which are distributed to outlets such as local offices, advisory organisations and doctors' surgeries, and can be found on the internet at www.dss.gov.uk. Advertorials in magazine titles which men are likely to read are due to appear in June.

We have however identified an error in the legislation that will affect a small number of widowers who will inherit both SERPS and a contracted-out pension from their late wives. In line with normal practice the SERPS payment should be reduced to take account of a contracted-out pension paid by a private pension scheme. This is technically known as a contracted-out deduction, and is made because National Insurance rebates would have been received instead of National Insurance contributions being paid for a SERPS pension. The intention was to treat all widows and widowers equally, but for this group of widowers the contracted-out deduction cannot be made until the legislation is corrected.

We will correct the legislation at the first available opportunity so as to treat widows and widowers equally. Those affected will be informed from the outset of this error and that it is likely to be corrected by future legislation. They will also be informed that they will not be asked to repay the extra amounts.

Disability Living Allowance

Mr. Boswell: To ask the Secretary of State for Social Security how many Disability Living Allowance recipients, whose main disability is deafness, are aged between 16 and 64 and live in *(a)* England, *(b)* Wales and *(c)* Scotland. [157404]

Mr. Bayley: The information is in the table.

DLA recipients aged 16–64 in England, Wales and Scotland with deafness as their main disabling condition

Country	Number
England	12,000
Wales	700
Scotland	1,300

Note:
Figures relate to 31 August 2000.
Source:
DSS Information Centre: 5 per cent. data

Statutory Benefits (Crewe and Nantwich)

Mrs. Dunwoody: To ask the Secretary of State for Social Security how many people in the constituency of Crewe and Nantwich have been awarded *(a)* attendance allowance, *(b)* back to work bonus, *(c)* business start up, *(d)* child benefit, *(e)* child maintenance bonus, *(f)* child support maintenance, *(g)* cold weather payment, *(h)* community care grants, *(i)* council tax benefit, *(j)* disability living allowance, *(k)* incapacity benefit, *(l)* income support, *(m)* industrial injury disablement benefit, *(n)* invalid care allowance, *(o)* maternity allowance, *(p)* severe disablement allowance, *(q)* social fund crisis loans, *(r)* stakeholder pensions, *(s)* statutory maternity pay, *(t)* statutory sick pay and *(u)* winter fuel payments since May 1997. [156256]

Mr. Bayley: The information is not available in the format requested as information on awards of benefit at constituency level is limited. Such information as is available is in the table.

Benefit	Period	Number of awards
Attendance Allowance[1]	1 June 1997–30 November 2000	1,600
Council Tax Benefit[2]	April 1997—March 2000	8,100
Disability Living Allowance[1]	1 June 1997–30 November 2000	900
Incapacity Benefit[1]	1 June 1998–30 November 2000	2,700
Winter Fuel Payment[3]	1999–2000	18,700
	2000–2001[4]	16,700

[1] Figures are taken from 5 per cent. sample data.
[2] Information on awards of Council Tax Benefit is in respect of the Crewe and Nantwich borough council area. Figures are taken from the Housing Benefit and Council Tax Benefit Management Information System Quarterly Administration Returns. Data refers to benefit claims, which may be a single person or a couple.
[3] Figures are taken from the Matching Intelligence Data Analysis Service Winter Fuel Payment exercise and are rounded to the nearest hundred.
[4] The Winter Fuel Payment figures for 2000–2001 are provisional. They are taken from a payment run in November 2000 and will be an underestimate of the actual payments made.

Child Poverty (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Social Security how many children lived in poverty in Shrewsbury and Atcham on *(a)* 1 May 1997 and *(b)* the latest available date; and if he will make a statement. [154655]

Mr. Bayley: Poverty and social exclusion are complex multi-dimensional issues, affecting many aspects of people's lives—including income, health, housing, the quality of their environment and opportunities to learn. There is no single measure that can capture the complex problems that need to be overcome.

However a number of these aspects have seen significant improvement in Shrewsbury and Atcham since 1997. Between February 1997 and August 2000 the number of children in families in receipt of out of work benefits has fallen from 3,100 to 2,300.

In Shropshire the proportion of 11-year-olds achieving level 4 or above at Key Stage 2 has risen in English from 62 per cent. in 1997 to 79 per cent. in 2000 and in mathematics from 61 per cent. in 1998 to 77 per cent. in 2000.

The annual report, "Opportunity for all", available in the Library, sets out and monitors the Government's strategy for tackling poverty and social exclusion.

Notes:

1. Out of work benefits include Income Support, Jobseeker's Allowance, Incapacity Benefit and Severe Disablement Allowance. Numbers on benefit are drawn from a 5 per cent. sample and are therefore subject to sampling error. Figures are rounded to the nearest hundred. Please note that any comparison of figures for February and for August may be affected by seasonal variation.

2. Information used in earlier replies only looked at Income Support and income based Jobseeker's Allowance. We now include all the key out of work benefits to give a fuller picture.

AGRICULTURE, FISHERIES AND FOOD

Foot and Mouth

Ms Oona King: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the RSPCA regarding animal welfare during mass slaughter programmes. [156967]

Mr. Morley: Mr. Chris Laurence, Chief Veterinary Officer of the RSPCA, wrote to my right hon. Friend the Minister on 22 March seeking assurances concerning the welfare of animals destined for slaughter as a result of FMD. Subsequently officials from the RSPCA have visited Great Orton on two occasions to witness the disposal of animals at risk from FMD. I understand that both were satisfied that the welfare of the animals prior to slaughter remained a primary concern of the teams involved in their disposal. I recently met the RSPCA and other welfare organisations to discuss slaughter and other welfare matters.

Mr. Waterson: To ask the Minister of Agriculture, Fisheries and Food what action his Department is taking to relieve pressure from banks on farmers and businesses affected by the foot and mouth crisis. [155426]

Mr. Meacher: I have been asked to reply.

On behalf of the Rural Task Force I have met representatives of the clearing banks to discuss issues raised by the impact of foot and mouth disease on rural businesses.

The banks have made it clear to me that they understand the problems being faced by businesses from all sectors affected by the foot and mouth outbreak. Wherever possible they are keen to support their customers and any customers in difficulty or expecting problems to arise should contact their manager locally as soon as possible to discuss the options that may be available.

The banks have also told me that they recognise that there will be longer term viability issues for some businesses arising as a result of the foot and mouth outbreak and that they will be pleased to work with the Government's Small Business Service to explore options including extension of the scope of the Small Firms Loans Guarantee Scheme to assist businesses in these circumstances.

ENVIRONMENT, TRANSPORT AND THE REGIONS

South East England Development Agency

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what action he proposes to take following delays by SEEDA in its appraisal of SRB Round 6 projects; and if he will make a statement. [156686]

Ms Beverley Hughes: The Eastbourne Regeneration partnership "Reborn" was successful in its bid for Round 6 funding through the Government's Single Regeneration Scheme and was awarded £5 million by SEEDA in July 2000. The partnership, in common with all other partnerships, was required to show that each of the proposed projects could demonstrate sound financial viability and value for money. Thirteen projects were put forward by the partnership but were originally lacking in sufficient detail to meet the requirements of the SRB Scheme. Considerable time was spent by SEEDA with the partnership in addressing and resolving these issues. As a result of the additional time spent by SEEDA on these particular projects there have been delays elsewhere which SEEDA has also addressed.

I am satisfied that SEEDA has acted properly in ensuring that these projects meet the required standards specified in the SRB Scheme thereby ensuring the proper stewardship of public funds being invested in the region. I do not believe that there is any further action to take in this matter.

Sewage

Mr. Beggs: To ask the Secretary of State for the Environment, Transport and the Regions how many projects to solve sewage problems have received EU financial support through Regulation (EEC) No. 1655/2000 of the European Parliament during *(a)* Phase 1, *(b)* Phase 2 and *(c)* Phase 3. [156737]

Mr. Robert Ainsworth: Three UK sewage projects have received funding from the LIFE Programme since it began in 1992. Two were funded during the first phase of the LIFE Regulation, which ran between 1992 and 1995. The third was funded during the second phase between 1996 and 1999. The third phase runs from 2000 to 2004. As yet no awards have been made during this phase.

In 1992 the LIFE Programme contributed euro 711.554 to a Wetland Reedbed Treatment of Sewage put forward by the Fife Regional Council. The project ran from January 1993 to March 1997. In the same year the programme contributed euro 352.537,28 towards a Continuous Microfiltration System put forward by a company called MEMCOR based in Derbyshire. This project ran from December 1992 to April 1996.

The third project was from a company called Montgomery Watson Ltd., in Buckinghamshire, and was funded in 1995. The project ran from April 1995 to April 1997, and the programme contributed euro 301.254,48. The project aimed to demonstrate a sustainable, affordable wastewater strategy using aquatic/marginal plants for smaller communities of the European Union, and was based in Northern Greece.

Further information about these projects and ones which have received funding in other member states can be found on the European Commission's website, where there is a searchable database with information about all 600 plus projects selected under LIFE I and II.

The website can be found at http://europa.eu.int/comm/life/envir/database.htm

Foot and Mouth

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 30 March 2001, *Official Report*, column 815W, on foot and mouth, if he will amend the criteria for entry on to the list of authorities able to give relief from business rates to include the incidence of foot and mouth cases within an authority's boundaries. [157088]

Mr. Meacher: I have agreed to keep under review the operation of the special grant for hardship rate relief scheme in relation to foot and mouth disease impacts and I will look at representations which individual authorities make on the scheme.

Tudor Court School, Chafford Hundred

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions when the Health and Safety Executive last visited Tudor Court School, Chafford Hundred in Thurrock. [157068]

Mr. Meacher *[holding answer 5 April 2001]:* The Health and Safety Executive (HSE) has not inspected the Tudor Court School in Thurrock since it opened in 1992. However, following a subsidence incident in the school car park on 23 March 2001 the HSE contacted the local education authority, Thurrock council, to ensure immediate steps were taken to ensure the safety of pupils, parents and staff and make the subsidence area safe.

GM Crops

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the contract between his Department and the Centre for Ecology and Hydrology agreed in April 1999 concerning research that forms part of the farm-scale evaluation of GM crops in the UK. [157113]

Mr. Meacher: I have today placed in the Library a copy of each of the four farm-scale evaluation contracts. Certain personal and financial details relating to contractors' staff have been removed.

The farm-scale evaluations are being undertaken by a consortium of three contractors: the Centre for Ecology and Hydrology (CEH), the Scottish Crop Research Institute (SCRI) and the Institute of Arable Crops Research (IACR). CEH leads the consortium and is the main contractor for the maize and beet evaluations, sub-contracting some of the work to SCRI and IACR. Similarly, SCRI leads on the spring oilseed rape trials and IACR on the winter oilseed rape, with some work sub-contracted to the other members of the consortium.

The work is overseen by the Scientific Steering Committee. Following the pilot year, protocols for the work have been revised on the advice of the Committee. Details of the current protocols can be found in the six monthly reports produced by the research consortium and published on the Department's website.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if a farmer chosen to take part in the farm scale evaluations of GM crops in the UK enters into a contract to grow and manage the field of GM and non-GM crop with *(a)* the Farming and Biotechnology Industry Body (SCIMAC) and *(b)* the chemical company that developed the GM crop involved. [157158]

Mr. Meacher: Farmers hosting Farm Scale Evaluations on their farm do so by arrangement with the company that holds the consent authorising the release of the GM crop. The companies involved are members of the industry umbrella group SCIMAC. The crops are grown in accordance with the conditions set out in the release consent for that crop.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the voluntary agreement between his Department and the Farming and Biotechnology Industry Body concerning the farm scale evaluations of GM crops in the UK. [157112]

Mr. Meacher: I will ensure that a copy of the voluntary agreement with the Supply Chain Initiative on Modified Agricultural Crops (SCIMAC) on the conduct of the Farm Scale Evaluations will be placed in the Library. A copy can be found on my Department's website http://www.environment.detr.gov.uk/fse/scimac/agreement/index.htm.

GM Fish

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the research programmes into fish genetics that his Department has been involved with in the last 10 years. [157275]

Mr. Meacher: My Department has funded a desk study and scientific literature review at the Institute of Aquaculture, University of Stirling, to consider the environmental implications and risk assessment of GM fish. This work was published as a DETR report in November 1994; "Genetic Modification of Fish—a UK Perspective". ACRE has also published guidance (Guidance note 8, March 1997) for experimental releases and risk assessment of genetically modified fish.

Copies of both these publications are in the House of Commons Library.

Research into GM fish has increased steadily since the first published reports in 1985 and the technology now exists for the routine modification of a variety of fish species. Some modified traits may affect the ecological range of a fish species, for example increasing the temperature range in which they are able to survive and

breed, or the rate at which the fish grow and mature. The implications of such changes would need to be carefully considered in the risk assessment before a release could take place.

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list comprehensive risk assessment programmes the UK has conducted, under EU Directive 90/220 into the implications for human health and the environment following the potential release of GM fish stocks involved in UK-funded research programmes. [157271]

Mr. Meacher: There have been no applications to release GM fish under Directive 90/220/EEC in the UK. However the environmental consequences of the farming of genetically modified fish have been considered by my Department and by the Advisory Committee on Releases to the Environment (ACRE).

The Department of the Environment published a research report on the "Genetic Modification of Fish—a UK Perspective" in November 1994. ACRE Guidance Note 8, issued in March 1997, provides guidance for experimental releases and risk assessment of genetically modified fish.

The publications offer detailed recommendations on approaches to risk assessment and risk management for GM fish, and for emergency control measures. Guidelines are also provided for carrying out monitoring during and after the release.

Copies of both these publications are in the House of Commons Library.

Air Pollution Control Residues

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with EU officials about the pre-treatment and disposal of APC residue; and if he will make a statement. [157413]

Mr. Robert Ainsworth: Officials from my Department are engaged in ongoing discussions with EU officials on technical issues regarding the implementation of the Landfill Directive. The most recent meeting of the Technical Adaptation Committee where such matters are discussed took place on 3 April 2001. One of the issues that has been raised in the Committee is the circumstances under which wastes should be considered corrosive. Under the Directive, hazardous waste that is corrosive in the conditions of landfill, possibly including some air pollution control residues, is likely to be prohibited from landfill sites from July 2002.

Fly-ash

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to classify fly-ash as prohibited waste; and if he will make a statement. [157412]

Mr. Robert Anisworth: My Department is currently in the process of transposing the requirements of the European Landfill Directive into national law. Under these provisions, hazardous waste that is corrosive in the conditions of landfill, including some fly-ash, is likely be prohibited from landfill sites from July 2002. Most waste that is landfilled will need to be pre-treated in some way. This requirement will be phased in between 2002 and 2009.

Meat Hygiene Service

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many and what percentage of *(a)* fresh food outlets, *(b)* fresh food wholesalers and distributors and *(c)* fresh food processors were visited unannounced by environmental health officers or Meat Hygiene Service inspectors in each year since 1995. [145003]

Ms Stuart: I have been asked to reply.

Information in the form requested is not held centrally. The numbers of inspections and visits to food premises by United Kingdom local authorities is as follows:

	Number
1995	828,937
1996	827,035
1997	787,047
1998	745,601
1999	734,573

Variations over time in the number of inspections and visits may reflect a number of factors, including changes in the number of food premises and the risk-based frequency of inspections.

As part of the Food Standard's Agency's arrangements to strengthen its links with local authority enforcement, a programme of audits of local authority enforcement services has been introduced. The audits will include checks on the adequacy and effectiveness of local authority enforcement services.

In addition to local authority inspections, the Meat Hygiene Service attends licensed fresh meat and poultry slaughterhouses, cutting plants and cold stores for the purposes of enforcing meat hygiene and animal welfare legislation and carrying out meat inspection and meat marking. Attendance by approximately 1,600 inspection staff ranges from full time to weekly visits, depending on the type of licensed premises. MHS staff make no unannounced visits to licensed premises, except principal official veterinary surgeons, who visit to check the effectiveness of MHS staff in carrying out their duties.

CABINET OFFICE

Correspondence

Mr. Watts: To ask the Minister for the Cabinet Office if she will publish the latest figures showing the volume of correspondence received by Ministers and agency chief executives from hon. Members in 2000, indicating the target times set for replies and the replies sent within those target times. [157532]

Marjorie Mowlam: The following table sets out Departments' and Agencies' performance in handling hon. Members' correspondence during the 2000 calendar year. It also sets out comparative figures for 1999

(first published on 17 April 2000, *Official Report*, columns 386–89W). I am pleased to report that the table shows a steady improvement in overall performance.

Hon. Members' attention is drawn to the footnotes which accompany the table and which provide general background information on how the figures are compiled.

Correspondence from MPs to Ministers and Agency chief executives

	1999			2000		
Department or Agency	*Target set for reply (working days)*	*Number of letters received*	*Percentage of replies within target*	*Target set for reply (working days)*	*Number of letters received*	*Percentage of replies within target*
Ministry of Agriculture, Fisheries and Food	15	7,021	60	15	[1]6,137	30
Cabinet Office	15	552	85	15	902	88
Crown Prosecution Service	15	30	93	15	[2]18	100
Department for Culture, Media and Sport	18	5,502	90	18	3,240	82
HM Customs and Excise	18	3,009	38	18	[3]2,977	68
Ministry of Defence	15	5,488	66	15	[4]4,592	78
Army Personnel Centre	15	42	84	15	38	95
DERA	15	35	89	15	21	91
Meteorological Office	15	12	83	15	16	94
Pay and Personnel Agency	—	—	—	10	31	43
Department for International Development	15	2,750	93	15	[5]1,769	82
Department for Education and Employment	15	21,196	75	15	22,318	72
Employment Service	15	635	98	15	592	98
Department of the Environment, Transport and the Regions	15	15,768	45	15	19,636	69
Driving Standards Agency	15	124	68	15	91	99
DVLA	7	855	98	10	1,136	99
Highways Agency	15	357	79	15	314	78
Maritime and Coastguard Agency	15	22	91	15	19	100
Planning Inspectorate	8	204	92	8	[6]310	90
Vehicle Inspectorate	15	18	94	15	13	100
Foreign and Commonwealth Office	20	11,921	75	[7]20	9,020	78
	15	9,482	37	[8]15	8,121	50
Department of Health	20	18,346	47	20	[9]18,621	50
NHS Pensions Agency	15	51	84	15	54	85
Medicines Control Agency	10	70	68	15	25	68
Home Office	15	16,826	45	15	[10]18,748	[11]41
	20	877	79	20	[12]1,289	79
HM Prison Service	20	2,514	73	20	2,306	75
UK Passport Agency	10	703	35	100	188	100
Inland Revenue	18	5,872	49	18	[13]5,770	72
	23	368	60	23	[14]533	53
Valuation Office	23	24	81	23	240	92
Legal Secretariat to the Law Officers	15	223	95	15	204	93
Lord Chancellor's Department	20	2,038	82	20	[15]1,844	74
Court Service	20	898	79	[15]20	[16]845	66
HM Land Registry	20	53	91	20	[15]41	93
Public Records Office	—	—	—	20	[15]26	100
Public Trust Office	15	42	95	15	[16]124	88
Northern Ireland Office	10	1,897	78	10	594	71
Compensation Agency for NI	7	23	100	7	16	100
Northern Ireland Prison Service	10	37	92	10	37	70
Office for National Savings	—	—	—	10	[16]154	86
Office for National Statistics	10	275	98	10	[17]167	79
President of the Council's Office	15	151	81	15	271	94
The Scotland Office	15	105	72	15	125	64
Department of Social Security	20	16,555	66	20	16,283	75
Benefits Agency	20	2,033	70	20	2,642	[18]45
Child Support Agency	18	5,661	98	18	5,806	97
War Pensions Agency	20	477	100	20	395	99

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Correspondence from MPs to Ministers and Agency chief executives

	1999			2000		
Department or Agency	*Target set for reply (working days)*	*Number of letters received*	*Percentage of replies within target*	*Target set for reply (working days)*	*Number of letters received*	*Percentage of replies within target*
Department of Trade and Industry	10	20,889	50	10	[3]18,858	60
Companies House	10	19	100	10	44	100
Employment Tribunals Service	—	—	—	10	[19]30	97
Insolvency Service	10	22	86	10	[20]334	87
Patent Office	10	308	88	10	[21]311	99
Radiocommunications Agency	15	39	97	15	20	100
HM Treasury	15	5,322	44	15	[4]4,061	60
Treasury Solicitor's Department	10	40	100	10	[22]35	100
Wales Office	15	61	64	15	[23]344	42

[1] Includes correspondence on the Intervention Board
[2] Letter addressed to the Law Officers but subsequently replied to by the Director of Public Prosecutions. In addition, the CPS received 490 letters direct from MPs between 1 January and 31 December 2000, of which 96 per cent. were replied to within 15 workings days
[3] Includes all ministerial replies, not only replies to letters from MPs
[4] Includes letters from MPs, MDLs, MEPs and Peers. Also includes 293 letters where Agency chief executives replied on Ministers' behalf
[5] 90 per cent. of letters from MPs replied to within 20 working days
[6] Include 139 cases relating to Wales
[7] Excluding correspondence on migration and visa matters
[8] Correspondence on migration and visa matters only
[9] In addition, the chief executive of the Food Standards Agency replied to 537 letters from MPs on behalf of Health Ministers
[10] Excluding correspondence on Prison Service matters
[11] Excluding correspondence on Immigration and Nationality matters, the Home Office replied to 76 per cent. of letters from MPs within 15 working days
[12] Correspondence on Prison Service matters. The 20 working day target takes account of particular geographical circumstances. The target is the same whether replies are sent by Ministers or by the Director General
[13] Local office and "delegated" figures (where local officials have replied direct to MPs)
[14] Excludes letters from MPs to Ministers where Agency chief executives have replied on Ministers' behalf
[15] Target reduced from 20 to 15 workings days on 1 April 2000
[16] Includes letters where the chief executive has replied on Ministers' behalf
[17] Includes 113 letters where the chief executive replied on Ministers' behalf
[18] Performance has improved under the new chief executive. Since September 2000, between 85 per cent. and 95 per cent. of all correspondence from MPs has been replied to within the 20 working day target
[19] Includes 18 letters where the chief executive replied on Ministers' behalf
[20] Includes 313 letters where the chief executive replied on Ministers' behalf
[21] Includes 309 letters where the chief executive replied on Ministers' behalf
[22] Includes eight letters where the chief executive replied on Ministers' behalf
[23] These figures cover the Wales Office's first year of existence and first full parliamentary session. This has been a difficult period. However, the Office has now reviewed its procedures and has introduced a new system for handling MPs' correspondence

Notes on 2000 figures:
The 1999 figures are taken from 17 April 2000, *Official Report*, columns 386–87W. Please also refer to the notes given with that reply. Departments and Agencies which received a total of between one and 10 letters from MPs during 2000 are not shown in this table

HEALTH

Correspondence

Mrs. Roe: To ask the Secretary of State for Health when he will reply to the letters from the hon. Member for Broxbourne, of 27 September, 24 October, 22 November and 22 December 2000 and 8 January 2001, relating to Mr. Dino Costas of Goffs Oak. [146896]

Mr. Denham *[holding answer 23 January 2001]:* A reply to the hon. Member's letter was sent on 5 April 2001.

Mrs. Roe: To ask the Secretary of State for Health when he will substantively reply to the letters from the hon. Member for Broxbourne of 27 September 2000, 24 October 2000, 22 November 2000, 22 December 2000 and 8 January and the written questions replied to on 23 January relating to Mr. Dino Costas of Goffs Oak, Hertfordshire. [151678]

Mr. Denham *[holding answer 1 March 2001]:* A reply to the hon. Member's letter was sent on 5 April 2001.

I apologise for the unacceptable delay in replying to the hon. Member's correspondence and the previous parliamentary question. I know the Department's Permanent Secretary/Chief Executive of the National Health Service has written to the hon. Member apologising for the unacceptable delay involved in replying to her correspondence. The hon. Member's constituent raised a number of sensitive issues, which required a full investigation to ensure the information provided was correct, ensuring the constituent received a full explanation. This involved liaising with two different health authorities and a number of different sections within these health authorities.

Departmental Policies (Tooting)

Mr. Cox: To ask the Secretary of State for Health if he will set out with statistical information relating as directly as possible to the Tooting parliamentary constituency, the effect of his Department's policies and actions since 1 May 1997. [149863]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Merton, Sutton and Wandsworth health authority and Merton, Sutton and Wandsworth social services authorities.

Increases in allocations between 1996–97 and 2001–02 for Merton, Sutton and Wandsworth health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	125.8
£ million (real terms)	77.5
Percentage (cash)	35.61
Percentage (real terms)	20.15

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Merton, Sutton and Wandsworth Health Authority and the NHS Trusts within it has also received additional funding for certain policies. This includes: £6.6 million for accident and emergency modernisation in 2000–01; and £138,000, £313,000, £408,000 and £266,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively.

Merton, Sutton and Wandsworth HA has also received: £300,000 for the investment of cancer equipment which has already been delivered and is now in use; £4.5 million, £453,000 and £406,000 to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £2.25 million to expand critical care services in 2000–01; £3.3 million and £2.9 million to deal with winter pressures in 1998–99 and 2000–01; £228,000 for heart disease services in 2000–01; and £35,000 invested in dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £48 million major hospital development that is being developed at St. George's Healthcare NHS Trust and £24 million development at Queen Mary's, Roehampton.

Merton local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	26.736	—	—
2001–02	35.052	16.1	31.1

In addition to the SSAs referred to, Merton local authority received additional funding in the form of a number of special grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,304	—	—	—
Partnership grant[2]	—	958	797	1,064
Prevention grant[2]	—	78	115	
Carers grant[3]	—	76	196	275
Children's grant[3]	—	324	512	1,300
Mental Health Core grant	388	524	798	[4]799
Training Support Grant	153	152	145	[4]148

[1] The special transitional grant ended in 1998–99
[2] The partnerships and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Sutton local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97

		Percentage increase	
Year	*£ million*	*Real*	*Cash*
1996–97	23.901	—	—
2001–02	31.174	15.5	30.4

In addition to the SSAs referred to, Sutton local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,253	—	—	—
Partnership grant[2]	—	882	735	1,015
Prevention grant[2]	—	73	107	
Carers grant[3]	—	71	176	249
Children's grant[3]	—	250	392	983
Mental Health Core grant	242	311	407	[4]408
Training Support Grant	140	158	174	[4]136

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Wandsworth local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	63.679	—	—
2001–02	74.746	4.0	17.4

In addition to the SSAs referred to, Wandsworth local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	2,634	—	—	—
Partnership grant[2]	—	1,943	1,623	2,117
Prevention grant[2]	—	158	233	
Carers grant[3]	—	153	417	579

£000

	1998–99	1999–2000	2000–01	2001–02
Children's grant[3]	—	866	1,374	3,370
Mental Health Core grant	573	881	1,115	[4]1,118
Training Support Grant	215	238	300	[4]252

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Ilford, North)

Ms Perham: To ask the Secretary of State for Health what initiatives embarked upon since May 1997 have benefited Ilford, North; and if he will make a statement. [152030]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Redbridge and Waltham Forest health authority and Redbridge and Waltham Forest social service authorities.

Increases in allocations between 1996–97 and 2001–02 for Redbridge and Waltham Forest health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	86.3
£ million (real terms)	52.1
Percentage (cash)	34.55
Percentage (real terms)	19.22

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Redbridge and Waltham Forest health authority and the National Health Service trusts within it have also received additional funding for certain policies. This includes: £1.8 million for accident and emergency modernisation in 2000–01; and £96,000, £192,000, £292,000 and £185,000 for improving cancer services (breast, colorectal, lung and cancer outpatient) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively.

Redbridge and Waltham Forest health authority has also received: £55,000 for the investment of cancer equipment which has already been delivered and is now in use; £3.2 million, £355,000 and £334,000 to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £1.8 million to expand critical care services in 2000–01; £3.3 million and £1.6 million to deal with winter pressures in 1998–99 and 2000–01 respectively; £149,000 for heart disease services 2000–01; £57,700 invested in dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £184 million proposed capital scheme at Forest Healthcare NHS Trust.

Redbridge local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	33.481	—	—
2001–02	45.514	20.4	35.9

In addition to the SSAs referred to, Redbridge local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1.782	—	—	—
Partnership grant[2]	—	1,270	1,082	1,472
Prevention grant[2]	—	98	146	
Carers grant[3]	—	97	244	343
Children's grant[3]	—	376	593	1,434
MH Core grant	263	444	580	[4]582
Training Support Grant	162	160	155	[4]158

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocations

Waltham Forest local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	46.853	—	—
2001–02	56.900	7.6	21.4

In addition to the SSAs referred to, Waltham Forest local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,056	—	—	—
Partnership grant[2]	—	1,480	1,246	1,623
Prevention grant[2]	—	112	166	
Carers grant[3]	—	110	304	422
Children's grant[3]	—	670	1,056	2,561
MH Core grant	446	660	822	[4]824
Training Support Grant	204	205	200	[4]194

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Hull, North)

Mr. McNamara: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Hull, North constituency, the effects on Hull, North of his Department's policies and actions since 2 May 1997. [150619]

Mr. Hutton *[holding answer 5 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports "Department of Health—Government Expenditure Plans 2000–01". A copy of the most recent report is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by East Riding and Hull health authority and East Riding of Yorkshire social services authority.

Increases in allocations between 1996–97 and 2001–02 for East Riding and Hull health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	113.3
£ million (real terms)	72.6
Percentage (cash)	38.73
Percentage (real terms)	22.92

Note:

Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

East Riding and Hull health authority has also received additional funding for certain policies. This includes: £1.06 million for accident and emergency modernisation in 2000–01; £114,000, £225,000, £338,000 and £127,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £333,000 to reduce waiting lists and times in 2000–01; £5.48 million to expand critical care services in 2000–01; £666,000 to deal with winter pressures in 2000–01 and £1.6 million, £2.06 million in 1997–98 and 1998–99 respectively; £1.08 million for heart disease services in 2000–01; £445,000 invested into dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £26 million major hospital development being developed at Hull Royal infirmary and the new £39 million major hospital development being developed at Castle Hill Hospital.

East Riding of Yorkshire local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	32.644	—	—
2001–02	44.039	19.5	34.9

In addition to the SSAs referred to, East Riding of Yorkshire local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1.940	—	—	—
Partnership grant[2]	—	1.368	1.173	1.660
Prevention grant[2]	—	111	168	
Carers grant[3]	—	113	257	362
Children's grant[3]	—	216	344	863
MH Core grant	241	407	470	[4]548
Training Support Grant	192	189	193	[4]233

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Houghton and Washington, East)

Mr. Kemp: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the constituency, the effects on Houghton and Washington, East of his Department's actions since 2 May 1997. [152991]

Mr. Hutton: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Sunderland health authority and Sunderland social services authority.

Increases in allocations between 1996–97 and 2001–02 for Sunderland HA are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	64.1
£ million (real terms)	41.4
Percentage (cash)	39.37
Percentage (real terms)	23.49

Note:

Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Sunderland health authority has also received additional funding for certain policies. This includes: £600,000 for accident and emergency modernisation in 2000–01; £64,000, £131,000, £202,000 and £139,000 for improving

cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £580,000 to reduce waiting lists and times in 2000–01; £1.8 million to expand critical care services in 2000–01; £392,000 to deal with winter pressures in 2000–01 and £880,000, £1.05 million in 1997–98 and 1998–99 respectively; and £119,000 for heart disease services in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £22 million major hospital development that has opened at Sunderland Royal Hospital.

Sunderland personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	46.016	—	—
2001–02	61.499	18.4	32.0

In addition to the SSAs referred to, Sunderland local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1.940	—	—	—
Partnership grant[2]	—	1.368	1.173	1.660
Prevention grant[2]	—	111	168	
Carers grant[3]	—	113	257	362
Children's grant[3]	—	216	344	863
MH Core grant	361	582	661	[4]994
Training Support Grant	192	189	193	[4]233

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (London)

Ms Buck: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Kensington and Chelsea and Cities of London and Westminster constituencies the effects of his Department's policies and actions since 2 May 1997; and if he will make a statement. [152273]

Mr. Denham: The information requested has been placed in the Library.

Departmental Policies (Hemsworth)

Mr. Trickett: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly to the locations as possible, the effects of his Department's policies and actions since 2 May 1997 on *(a)* Hemsworth constituency and *(b)* Wakefield district. [153001]

Mr. Hutton: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Wakefield health authority and Wakefield social services authority.

Increases in allocations between 1996–97 and 2001–02 for Wakefield health authority are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	64.8
£ million (real terms)	40.9
Percentage (cash)	37.09
Percentage (real terms)	21.47

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Wakefield health authority has also received additional funding for certain policies. This includes: £815,000 for accident and emergency modernisation in 2000–01; £97,000, £171,000, £201,000 and £134,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £824,000 to reduce waiting lists and times in 2000–01; £193,000 to expand critical care services in 2000–01; £1.7 million to deal with winter pressures in 2000–01 and £1.7 million, 1.06 million in 1998–98 and 1998–99 respectively; £138,000 for heart disease services in 2000–01; and £20,000 invested into dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £164 million major hospital development that is being developed at Pinderfields General Hospital and Pontefract General Infirmary.

Wakefield personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	43.218	—	—
2001–02	58.450	19.8	35.2

In addition to the SSAs referred to, Wakefield local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000s

	1998–99	1999–2000	2000–01	2001–02
Special transitional grant[1]	1,940	—	—	—
Partnership grant[2]	—	1,368	1,173	1,660
Prevention grant[2]	—	111	168	
Carers grant[3]	—	113	257	362
Children's grant[3]	—	216	344	863
MH Core grant	332	561	689	[4]813
Training support grant	192	189	193	[4]233

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Middlesbrough, South and Cleveland, East)

Dr. Kumar: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the constituency, the effect on the Middlesbrough, South and Cleveland, East constituency of his Department's policies and action since 2 May 1997. [153282]

Mr. Hutton: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Tees health authority and Redcar and Cleveland social services authority and Middlesbrough social services authority.

Increases in allocations between 1996–97 and 2000–01 for Tees health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	119.8
£ million (real terms)	77.9
Percentage (cash)	40.12
Percentage (real terms)	24.15

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Tees health authority has also received additional funding for certain policies. This includes: £1 million for accident and emergency modernisation in 2000/01; £83,000, £172,000, £237,000 and £159,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £1.06 million to reduce waiting lists and times in 2000/01; £1.4 million to expand critical care services in 2000/01; £873,000 to deal with winter pressures in 2000–01 and £1.5 million, £2.1 million in 1997–98 and 1998–99 respectively; £648,000 for heart disease services in 2000–01; and £27,000 invested into dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £149 million major hospital development that is being developed at South Cleveland Hospital.

Redcar and Cleveland personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	19.817	—	—
2001–02	25.398	13.5	28.2

In addition to the SSAs referred to, Redcar and Cleveland local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1.940	—	—	—
Partnership grant[2]	–	1.368	1.173	1.660
Prevention grant[2]	–	111	168	
Carers grant[3]	–	113	257	362
Children's grant[3]	–	216	344	863
MH Core grant	140	237	273	[4]434
Training Support Grant	192	189	193	[4]233

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Middlesbrough local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	22.672	—	—
2001–02	29.825	16.5	31.5

In addition to the SSAs referred to, Middlesbrough local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,023	—	—	—
Partnership grant[2]	—	771	668	903
Prevention grant[2]	—	60	91	
Cagrs grant[3]	—	59	161	225
Children's grant[3]	—	313	495	1.190
MH Core grant	149	251	290	[4]571
Training Support Grant	177	192	210	[4]204

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (South Shields)

Dr. David Clark: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the South Shields constituency, the effects on South Shields of his Department's polices and actions since 2 May 1997. [153085]

Mr. Hutton: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government

Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My right hon. Friend's constituency falls within the geographical area covered by Gateshead and South Tyneside health authority, Gateshead social services authority and South Tyneside social services authority.

Increases in allocations between 1996–97 and 2000–01 for Gateshead and South Tyneside health authority are shown in the table.

Increases in allocations between 1997–97 and 2001–02

	Increase
£ million (cash)	79.7
£ million (real terms)	50.9
Percentage (cash)	38.21
Percentage (real terms)	22.46

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Gateshead and South Tyneside health authority has also received additional funding for certain policies. This includes: £1.3 million for accident and emergency modernisation in 2000–01; £83,000, £172,000, £237,000 and £159,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £902,000 to reduce waiting lists and times in 2000–01; £734,000 to expand critical care services in 2000–01; £497,000 to deal with winter pressures in 2000–01 and £1.1 million, £1.35 million in 1997–98 and 1998–99 respectively; and £133,000 for heart disease services in 2000–01.

Gateshead local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	1996–97	*2001–02*
£ million	32.309	42.639
Percentage increase (real)	—	16.9
Percentage increase (cash)	—	31.9

In addition to the SSAs referred to, Gateshead local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,720	—	—	—
Partnership grant[2]	—	1,257	1,060	1,440
Prevention grant[2]	—	96	141	
Carers grant[3]	—	96	233	322
Children's grant[3]	—	298	469	1,227
MH Core grant	327	446	469	[4]548
Training Support Grant	212	235	262	[4]273

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

South Tyneside local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	1996–97	*2001–02*
£ million	25.912	36.293
Percentage increase (real)	—	24.0
Percentage increase (cash)	—	40.1

In addition to the SSAs referred to, South Tyneside local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,384	—	—	—
Partnership grant[2]	—	1,014	868	1,193
Prevention grant[2]	—	77	116	
Carers grant[3]	—	78	198	274
Children's grant[3]	—	275	435	1,131
MH Core grant	182	252	355	[4]356
Training Support Grant	190	189	186	[4]162

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Jarrow)

Mr. Hepburn: To ask the Secretary of State for Health if he will set out, with statistical information, relating as directly as possible to the constituency, the effects on Jarrow of his Department's actions since 2 May 1997. [153543]

Mr. Hutton: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports "Department of Health—Government Expenditure Plans 2000–01". A copy of the most recent report is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Gateshead and South Tyneside health authority, Gateshead social services authority and South Tyneside social services authority.

Increase in allocations between 1996–97 and 2001–02 for Gateshead and South Tyneside health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	79.7
£ million (real terms)	50.9
Percentage increase (cash)	38.21
Percentage increase (real terms)	22.46

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only

Gateshead and South Tyneside health authority has also received additional funding for certain policies. This includes: £1.3 million for accident and emergency modernisation in 2000–01; £83,000, £172,000, £237,000 and £159,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £902,000 to reduce waiting lists and times in 2000–01; £734,000 to expand critical care services in 2000–01; £497,000 to deal with winter pressures in 2000–01 and £1.1 million, £1.35 million in 1997–98 and 1998–99 respectively; and £133,000 for heart disease services in 2000–01.

Gateshead local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	32.309	—	—
2001–02	42.639	16.9	31.9

In addition to the SSAs referred to, Gateshead local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,720	—	—	—
Partnership grant[2]	—	1,257	1,060	1,440
Prevention grant[2]	—	96	141	
Carers grant[3]	—	96	233	322
Children's grant[3]	—	298	469	1,227
MH Core Grant	327	446	469	[4]747
Training Support Grant	212	235	262	[4]273

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

South Tyneside local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	25.912	—	—
2001–02	36.293	24.0	40.1

In addition to the SSAs referred to, South Tyneside local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,384	—	—	—
Partnership grant[2]	—	1,014	868	1,193
Prevention grant[2]	—	77	116	
Carers grant[3]	—	78	198	274
Children's grant[3]	—	275	435	1,131
MH Core grant	182	252	355	[4]356
Training Support Grant	190	189	186	[4]162

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Walthamstow)

Mr. Gerrard: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the constituency, the effect on the Walthamstow constituency of his Department's policies and actions since 2 May 1997. [154177]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000/01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Redbridge and Waltham Forest health authority and Redbridge and Waltham Forest social services authorities.

Increases in allocations between 1996–97 and 2001–02 for Redbridge and Waltham Forest health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	86.3
£ million (real terms)	52.1
Percentage (cash)	34.55
Percentage (real terms)	19.22

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Redbridge and Waltham Forest health authority and the National Health Service trusts within it have also received additional funding for certain policies. This includes: £1.8 million for accident and emergency modernisation in 2000–01; £96,000, £192,000, £292,000 and £185,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–00 and 2000–01 respectively; Redbridge and Waltham Forest health authority has also received: £55,000 for the investment of cancer equipment which has already been delivered and is now in use; £3.2 million, £355,000 and £334,000 to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £1.8 million to expand critical care services in 2000–01; £3.3 million and £1.6 million to deal with winter pressures in 1998–99 and 2000–01 respectively £149,000 for heart disease services 2000–01; and £57,700 invested into dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new the £184 million proposed capital scheme at Forest Healthcare NHS Trust.

Redbridge local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97

	1996–97	2001–02
£ million	33.481	45.514
Percentage increase (real)	—	20.4
Percentage increase (cash)	—	35.9

In addition to the SSAs referred to, Redbridge local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1,782	—	—	—
Partnership grant[2]	—	1,270	1,082	1,472
Prevention grant[2]	—	98	146	
Carers grant[3]	—	97	244	343
Children's grant[3]	—	376	593	1,434
Mental Health Core grant	263	444	580	582[4]
Training Support Grant	162	160	155	158[4]

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocations

Waltham Forest local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97

		Percentage increase	
	£ million	Real	Cash
1996–97	46.853	—	—
2001–02	56.900	7.6	21.4

In addition to the SSAs referred to, Waltham Forest local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,056	—	—	—
Partnership grant[2]	—	1,480	1,246	1,623
Prevention grant[2]	—	112	166	
Carers grant[3]	—	110	304	422
Children's grant[3]	—	670	1,056	2,561
Mental Health Core grant	446	660	822	824[4]
Training Support Grant	204	205	200	194[4]

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Sutton and Cheam)

Mr. Burstow: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the Sutton and Cheam constituency, the effects on Sutton and Cheam of his Department's policies and actions since 2 May 1997. [154415]

Mr. Denham *[holding answer 21 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The hon. Member's constituency falls within the geographical area covered by Merton, Sutton and Wandsworth health authority and Merton, Sutton and Wandsworth Social Services Authorities.

Increases in allocations between 1996–97 and 2001–02 for Merton, Sutton and Wandsworth health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	125.8
£ million (real terms)	77.5
Percentage (cash)	35.61
Percentage (real terms)	20.15

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Merton, Sutton and Wandsworth health authority and the National Health Service Trust within it has also received additional funding for certain policies. This includes: £6.6 million for accident and emergency modernisation in 2000–01; £138,000, £313,000, £408,000 and £266,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively.

Merton, Sutton and Wandsworth HA has also received £300,000 for the investment of cancer equipment which has already been delivered and is now in use; £4.5 million, £453,000 and £406,000 to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £2.25 million to expand critical care services in 2000–01; £3.3 million and £2.9 million to deal with winter pressures in 1998–99 and 2000–01; £228,000 for heart disease services in 2000–01; and £35,000 invested in dentistry in 2000–01.

In addition, the hon. Member's constituents will benefit from the new £48 million major hospital development that is being developed at St. George's Healthcare NHS Trust and £24 million development at Queen Mary's Roehampton.

Merton local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	26.736	—	—
2001–02	35.052	16.1	31.1

In addition to the SSAs referred to, Merton local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1,304	—	—	—
Partnership grant[2]	—	958	797	1,064
Prevention grant[2]	—	78	115	
Carers grant[3]	—	76	196	275
Children's grant[3]	—	324	512	1,300
Mental Health Core grant	388	524	798	[4]799
Training Support Grant	153	152	145	[4]148

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Sutton local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	23.901	—	—
2001–02	31.174	15.5	30.4

In addition to the SSAs referred to, Sutton local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1,253	—	—	—
Partnership grant[2]	—	882	735	1,015
Prevention grant[2]	—	73	107	
Carers grant[3]	—	71	176	249
Children's grant[3]	—	250	392	983
Mental Health Core grant	242	311	407	[4]408
Training Support Grant	140	158	174	[4]136

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Wandsworth local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	63.679	—	—
2001–02	74.746	4.0	17.4

In addition to the SSAs referred to, Wandsworth local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,634	—	—	—
Partnership grant[2]	—	1,943	1,623	2,117
Prevention grant[2]	—	158	233	
Carers grant[3]	—	153	417	579
Children's grant[3]	—	666	1,376	3,370
Mental Health Core grant	573	881	1,115	[4]1,118
Training Support Grant	215	236	300	[4]252

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Norwich, North)

Dr. Gibson: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the constituency, the effect on the Norwich, North constituency of his Department's policies and actions since 2 May 1997. [151145]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Norfolk health authority and Norfolk social services authority.

Norfolk health authority was formed on 1 April 1999 from the merger of East Norfolk health authority and part of North West Anglia health authority. It is not possible to compare pre-merger and post-merger allocations.

Norfolk health authority has received additional funding for certain policies. This includes: £1.3 million for accident and emergency modernisation (capital) in 2000–01; £199,000, £390,000, £477,000 and £286,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £986,000 has also been provided for investment in cancer equipment which has been delivered and is in use; £929,000 to reduce waiting lists and times in 2000–01; £2.2 million to expand critical care services in 2000–01; £1.1 million to deal with winter pressures in 2000–01; £195,000 for heart disease services in 2000–01; and £60,000 invested in dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £158 million major hospital development that is being developed at Norfolk and Norwich University Hospital National Health Service trust.

Norfolk local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	97.014	—	—
2001–02	126.380	15.4	30.3

In addition to the SSAs referred to, Norfolk local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	5,273	—	—	—
Partnership grant[2]	—	3,791	3,292	4,671
Prevention grant[2]	—	313	474	
Carers grant[3]	—	324	752	1,053
Children's grant[3]	—	723	1,149	2,924
MH Core grant	730	1,208	1,395	[4]1,758
Training Support Grant	426	511	604	[4]506

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Luton, South)

Ms Moran: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of his Department's policies and actions since 2 May 1997. [156161]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Bedfordshire health authority and Luton unitary social services authority.

The increases in allocations between 1996–97 and 2001–02 for Bedfordshire health authority is set out in the table.

	Increase
£ million (cash)	103.6
£ million (real terms)	68.3
Percentage (cash)	41.49
Percentage (real terms)	25.36

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Bedfordshire health authority has also received additional funding for certain policies. This includes: £1.4 million for accident and emergency modernisation (capital) in 2000–01; £101,000, £201,000, £304,000 and £203,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £644,000 to reduce waiting lists and times in 2000–01; £1.4 million to expand critical care services in 2000–01; £887,000 to deal with winter pressures in 2000–01; £168,000 for heart disease services 2000–01; £50,000 invested to dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £14.7 million major development to include elderly care, physiotherapy and outpatients, as well as staff accommodation that is being developed at the Luton and Dunstable hospital.

Bedfordshire local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	£ million	Percentage increase: Real	Percentage increase: Cash
1996–97	61.927	—	—
2001–02	52.107	–25.5	–15.9

Note:
The SSA has decreased because of boundary changes resulting from local government reorganisation.

In addition to the SSAs referred to, Bedfordshire local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,056	—	—	—
Partnership grant[2]	—	1,485	1,289	1,803
Prevention grant[2]	—	120	182	
Carers grant[3]	—	120	291	416
Children's grant[3]	—	357	560	1,431
Mental Health Core grant	316	534	611	[4]684
Training Support Grant	289	269	218	[4]207

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Luton local authority came into existence on 1 April 1997. Its personal social services standard spending assessment for 2001–02 is £30.922 million.

In addition to its SSA, Luton has received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1,001	—	—	—
Partnership grant[2]	—	765	658	888
Prevention grant[2]	—	63	95	
Carers grant[3]	—	61	171	241
Children's grant[3]	—	359	561	1,357
Mental Health Core grant	156	300	304	[4]486
Training Support Grant	157	165	181	[4]167

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since 2 May 1997. [155974]

Mr. Denham *[holding answer 2 April 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My right hon. Friend's constituency falls within the geographical area covered by Lambeth, Southwark and Lewisham health authority and Lambeth, Southwark and Lewisham health social services authority.

Increases in allocations between 1996–97 and 2001–02 for Lambeth, Southwark and Lewisham health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	186.4
£ million (real terms)	119.8
Percentage (cash)	39
Percentage (real terms)	23.16

Note:

Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Lambeth, Southwark and Lewisham health authority and the National Health Service trusts within it have also received additional funding for certain policies. This includes: £832,000 for accident and emergency modernisation in 2000–01; £235,000, £510,000, £553,000 and £366,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively.

Lambeth, Southwark and Lewisham HA has also received £1.89 million for the investment of cancer equipment which has already been delivered and is now in use; £6.2 million, £1.2 million and £1.3 million to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £3.3 million to expand critical care services in 2000–01; £5.3 million and £1.8 million to deal with winter pressures in 1998–99 and 2000–01 respectively; £813,000 for heart disease services in 2000–01 respectively; and £136,700 invested to dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £100 million reconfiguration of services at Guys and St. Thomas' Hospitals NHS Trust which is currently under construction, £75 million capital scheme at Kings and £44 million proposed development at Lewisham hospital.

Lambeth local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	£ million	Percentage increase: Real	Percentage increase: Cash
1996–97	84.841	—	—
2001–02	92.374	–3.6	8.9

In addition to the SSAs referred to, Lambeth local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,477	—	—	—
Partnership grant[2]	—	4,974	1,670	2,160
Prevention grant[2]	—	165	247	
Carers grant[3]	—	157	509	714
Children's grant[3]	—	1,574	2,525	6,034
MH Core grant	797	1,129	1,381	[4]1,383
Training Support Grant	248	178	177	[4]248

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Southwark local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	£ million	Percentage increase: Real	Percentage increase: Cash
1996–97	70.242	—	—
2001–02	87.510	10.3	24.6

In addition to the SSAs referred to, Southwark local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,443	—	—	—
Partnership grant[2]	—	1,913	1,619	2,116
Prevention grant[2]	—	154	229	
Carers grant[3]	—	148	472	665
Children's grant[3]	—	1,269	2,025	5,095
MH Core grant	794	1,082	1,308	[4]1,311
Training Support Grant	223	255	308	[4]325

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Lewisham local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

	£ million	Percentage increase: Real	Percentage increase: Cash
1996–97	65.456	—	—
2001–02	75.867	2.6	15.9

In addition to the SSAs referred to, Lewisham local authority received additional funding in the form of a

number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,465	–	–	–
Partnership grant[2]	–	1,819	1,516	1,971
Prevention grant[2]	–	142	210	
Carers grant[3]	–	139	416	576
Children's grant[3]	–	1,111	1,768	4,216
MH Core grant	649	914	1,266	[4]1,268
Training Support Grant	187	244	228	[4]218

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Grants (London Boroughs)

Ms Buck: To ask the Secretary of State for Health if he will list *(a)* each category of grant and *(b)* the amount of each grant paid by his Department to each London borough in (i) 1997–98, (ii) 1998–1999, (iii) 1999–2000 and (iv) 2000–01; and what the projected figure is for 2001–02. [155429]

Mr. Denham: The information requested has been placed in the Library.

The tables list the amount and type of grant paid to each London borough from 1997–98 to 2000–01 with indicative allocations for 2001–02. In addition to the grants shown in the tables:

each council will receive £16,666 from the Improving Information Management grant being introduced in 2001–02

from the Invest to Save grant, Croydon council was paid £36,900 in 2000–01 and will receive £50,000 in 2001–02; Harrow council was paid £459,000 in 2000–01 and will received £410,000 in 2001–02

Hammersmith and Fulham council received secure accommodation grants of £5,601,163 in 1997–98, £1,554,664 in 1998–99, £88,458 in 1999–2000 and £68,914 in 2000–01. Southwark council received £813,916 in 1997–98 and £420,533 in 1998–99.

Community Health Workers

Mr. Paul Marsden: To ask the Secretary of State for Health how many community health workers worked in Shropshire *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [156565]

Yvette Cooper: Data relating solely to community health workers are not collected centrally. The table illustrates the number of staff employed in hospitals and community health services (HCHS) in the Shropshire health authority (HA).

The National Health Service Plan sets out future plans for further expansion of NHS staff.

HCHS: Non-medical and medical and dental staff and those employed in the community and public health areas of work in Shropshire HA area as at 30 September 1997 and 2000

	Whole-time equivalents		Headcount	
	1997	2000	1997	2000
Total non-medical staff	5,020	5,620	6,230	7,060
Of which				
Nursing staff community psychiatry[1]	60	80	60	80
Community learning difficulties[1]	10	10	10	10
Community services[1]	300	340	390	490
Total medical and dental public health medicine (PHM) and community health service (CHS) staff	20	30	40	40
Of which	[2]—	10	10	10
PHM	20	20	30	30
CHS				

[1] These are the only non-medical workforce staff groups that can be identified as working within community health
[2] Five or less and greater than zero
Notes:
Figures exclude learners and agency staff
Figures are rounded to the nearest 10
Source:
Department of Health 2000 non-medical workforce census
Department of Health 2000 medical and dental workforce census

General Practitioners

Dr. Lynne Jones: To ask the Secretary of State for Health what mechanisms will be put in place to enable GP practices to demonstrate their competence to primary care trusts. [156734]

Mr. Denham: Primary care trust (PCT) core functions include the development of general practice and other primary care providers and those professionals working in primary and community care. The range of services developed will vary between PCTs. It is therefore for each PCT to develop its own incentive arrangements and a range of performance indicators to assess the development of practices and the services it provides.

As part of this the Prime Minister announced on 19 March an additional £100 million to invest in general practice and primary care. PCTs and primary care groups will need to agree objectives and targets with their constituent practices for the effective use of these funds that support improvement of services by skilled and competent primary care professionals.

Tuberculosis

Mr. Wilkinson: To ask the Secretary of State for Health how many isolation wards for the treatment of tuberculosis have been opened in NHS hospitals since May 1997; in which hospitals; and on what dates. [156535]

Yvette Cooper *[holding answer 2 April 2001]:* Information on the number of isolation wards in hospitals is not collected centrally.

Different levels of isolation are required depending on the infectious (or suspected infectious) nature of a tuberculosis case. Each patient is considered on a case-by-case basis and therefore, the need for isolation facilities is made at local level.

The Department has published recommendations on isolation in two documents. One in June 1996 "Recommendations for the prevention and control of tuberculosis at local level" and again in September 1998 in the document entitled "UK guidance on the prevention and control of transmission of HIV-related tuberculosis and Drug-resistant, including Multiple Drug-resistant tuberculosis".

HPV Testing

Dr. Gibson: To ask the Secretary of State for Health if the pilot tests for HPV testing *(a)* have started on schedule and *(b)* are taking place in the originally announced locations; and when he expects the results to be published. [156745]

Yvette Cooper *[holding answer 3 April 2001]:* The human papilloma virus/liquid based cytology pilot started in March 2001, as planned. As previously announced, the three sites are Norfolk and Norwich, North Bristol and Newcastle.

The evaluation is in two phases. In May 2002 the United Kingdom national screening committee (NSC) will report to the National Institute for Clinical Excellence on liquid based cytology. In March 2003, the NSC will consider the full evaluation of human papilloma virus testing and liquid based cytology in cervical screening before reporting to Ministers. Decisions about publication will be made at that stage.

Cancer

Dr. Gibson: To ask the Secretary of State for Health when he plans to meet the European Standards in Cancer survival rates. [156746]

Yvette Cooper *[holding answer 3 April 2001]:* The National Health Service cancer plan has set out the actions and milestones that aim to deliver the fastest improvements in cancer services anywhere in Europe over the next five years. By 2010 we anticipate that our five year survival rates for cancer will compare with the best in Europe.

NHS Plan

Mr. Hammond: To ask the Secretary of State for Health if the term "by 2006" used in the NHS Plan refers to 1 January 2006. [157087]

Mr. Denham: There are no references to the term "by 2006" in the National Health Service Plan.

Drug and Tobacco Dependency

Dr. Cable: To ask the Secretary of State for Health how much central Government funding was specifically allocated for preventive and curative work in relation to *(a)* drug, *(b)* alcohol and *(c)* tobacco dependency in the last financial year. [156909]

Ms Stuart *[holding answer 5 April 2001]:* It is not always possible to distinguish between preventive and curative work in relation to substance misuse. Interventions may be undertaken with people who have some substance misuse problems but have not, or would not, necessarily develop dependency. In the financial year 2000–01, the following sums were allocated for work which can broadly be described as preventive and/or curative in relation to drug, alcohol, and tobacco dependency or misuse, by central Government:

£59 million drug misuse special allocation to health authorities for drug misuse services.

£25 million additional in year funding in relation to drug misuse, to increase treatment capacity, reduce drug related deaths, and extend targeted preventive programmes.

£20 million allocated for smoking cessation through health authorities.

£13.75 million allocated for anti-smoking education.

£6.78 million drug and alcohol specific and special grants allocated to local authorities for distribution to voluntary sector drug and alcohol treatment agencies.

£7.45 million for preventive activity in relation to drug misuse.

£1.86 million Section 64 General Scheme of Grants to the voluntary sector, covering a range of preventive and curative projects in relation to drug, alcohol, and tobacco dependency.

£0.6 million for preventive health promotion in relation to alcohol.

£0.5 million local grants scheme promoting development of primary care led alcohol services.

HOME DEPARTMENT

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the *(a)* number and *(b)* types of crime committed by prisoners released on the Home Detention Curfew Scheme while they are on the scheme which are not reported to the police; and if he will make a statement. [152694]

Mr. Boateng *[holding answer 8 March 2001]:* No data are collected on the number or type of offences which might be committed by prisoners released on Home Detention Curfew (HDC) but which are not reported by victims to the police. The British Crime Survey which measures crime against households and individuals—including incidents not reported to the police—shows that overall levels of crime in 1999, the year following introduction of the HDC scheme, were 10 per cent. lower than in 1997.

Departmental Advertising

Mr. Ian Bruce: To ask the Secretary of State for the Home Department what major advertising campaigns his Department is carrying out; and what the cost and duration of each is. [154266]

Mr. Straw *[holding answer 19 March 2001]:* My Department is not currently running any advertising campaigns.

The second phase of the vehicle crime reduction campaign finished on 31 March. The cost for this phase of the campaign was £4.4 million. The total cost for this campaign during 2000–01 is £8.67 million as outlined in a previous answer to the hon. Member for Bath (Mr. Foster) on 12 February 2001, *Official Report*, column 63W.

Foot and Mouth

Mr. Peter Ainsworth: To ask the Secretary of State for the Home Department if he will list the meetings and conferences organised by his Department and agencies of his Department which have been *(a)* cancelled and *(b)* postponed owing to foot and mouth disease; and if he will make a statement. [155357]

Mr. Straw *[holding answer 23 March 2001]:* The information requested is not held centrally and could be obtained only at disproportionate cost.

Immigration

Mr. Sanders: To ask the Secretary of State for the Home Department when he will make a decision in the application for leave to remain made by Mrs. Farmer of Babbacombe Road, Torquay (Ref. D 2599777). [156518]

Mrs. Roche: A decision has now been taken on Mrs. Farmer's application and notification of the decision has been sent to Mrs. Farmer's solicitors. I have arranged for a copy of the notification to be sent to the hon. Member.

Data Protection

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department (1) which Government Departments pay to access information on the national change of address database; [156453]

(2) what the cost to public funds of accessing the national change of address database was in each year since 1995. [156455]

Mr. Mike O'Brien: It is a matter for individual Departments to provide the information requested. There are no central records kept in the Home Office of these costs and the information could be provided only at disproportionate cost.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department (1) how many people have lodged complaints with the Data Protection Registrar concerning information from the change of address database sold by the Post Office to third parties; [156456]

(2) if he will make it his policy to require the Data Protection Registrar to obtain the consent of an individual before information from the change of address database is sold on to third parties. [156454]

Mr. Mike O'Brien: The Data Protection Registrar has been known since 30 January 2001 as the Information Commissioner. The Commissioner administers and enforces the Data Protection Act 1998 independently of the Government.

I have drawn the Commissioner's attention to these questions and I understand that she will be writing to my hon. Friend.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department how many notifications there were to his Department in each year from 1997 to date of criminal convictions of asylum seekers resident in the United Kingdom. [157168]

Mr. Charles Clarke: The information is not available centrally.

The Home Office Court Proceedings Database does not hold information about the characteristics of individual cases apart from those that are evident from the description of the offence with which the defendant has been charged.

Mr. Oaten: To ask the Secretary of State for the Home Department what provision he has made for education materials to be made available in appropriate languages for asylum seekers held at Winchester prison. [157012]

Mr. Boateng *[holding answer 5 April 2001]:* Provision for education materials in appropriate languages is made available to detainees as and when the need arises. On arrival each detainee is offered an education induction involving an assessment and interview to find out what his needs are. The education department provides dictionaries, "English as a second language" packs, basic readers and cassettes and has recently employed an "English as a second language" teacher. The education department also provides detainees with information and advice about education and employment opportunities available on release.

Miss Widdecombe: To ask the Secretary of State for the Home Department how many asylum seekers are recipients of voucher-only support; and if he will make a statement. [157173]

Mrs. Roche: As at the end of February 2001, [1]11,630 asylum seekers (including dependants) were allocated voucher-only support by the National Asylum Support Service (NASS).

[1] Figure rounded to the nearest ten

Young Offenders Institutions

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 13 February 2001, *Official Report*, columns 294–96, on young offenders institutions, what further consideration he has given to the availability of sanctions to deal with disorder and bullying by young persons in custody; and if he will make a statement. [157036]

Mr. Boateng *[holding answer 5 April 2001]:* The Prison Service and the Youth Justice Board for England and Wales (YJB) are working on a joint rewards and sanctions strategy. This emphasises the increased use of incentives which can encourage positive behaviour and be withdrawn when negative behaviour is displayed. The aim is to create a more direct link between individual target setting and compliance with institutional rules, which can in turn influence decisions regarding early and late release under the Detention and Training Order. Guidance will be issued to Governors and practitioners by July.

Appointments Committee

Mr. Corbett: To ask the Secretary of State for the Home Department (1) if he will list the members of the Appointments Committee advising him on the selection of HM Chief Inspector of Probation and their current occupations; [157002]

(2) if he will list the members of the Appointments Committee advising him on the selection of HM Chief Inspector of Prisons and their current occupations. [157003]

Mr. Boateng *[holding answer 5 April 2001]:* The members of the Advisory Panel are Baroness Stern, former Director of the National Association for the Care and Resettlement of Offenders and Senior Research Fellow at the International Centre for Prison Studies; Lord Laming, former Chief Inspector of the Social Services Inspectorate and author of the Laming Report on Modernising the Management of the Prison Service; Sir Hayden Phillips, Permanent Secretary at the Lord Chancellor's Department and chair of the Panel, and Sue Street, Director of the Home Office's Criminal Policy Group.

In appointing Her Majesty's Chief Inspector of Prisons and Her Majesty's Chief Inspector of Probation, the guidelines of the Office of the Commissioner for Public Appointments are being followed.

Identity Cards

Mr. Lidington: To ask the Secretary of State for the Home Department (1) what consultations the Government have carried out with the Scottish, Welsh and Northern Ireland authorities about the possible introduction of a national identity card; [157386]

(2) what his policy is towards the introduction of a national identity card. [157347]

Mr. Mike O'Brien: We believe that, at least for the time being, the costs and risks associated with the introduction of a national identity card would outweigh the benefits. During the assessment of the options there was consultation at official level with the Scottish, Welsh and Northern Ireland authorities; but we have not specifically sought the views of the Scottish Parliament or the Welsh or Northern Ireland Assemblies.

Freedom of Information Act

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department if he will seek to extend the provisions of the Freedom of Information Act 2000 to include technical details of animal experiments; and if he will make a statement. [157423]

Mr. Mike O'Brien: Technical details of animal experiments are likely to be covered by the prohibition on disclosure set out in section 24 of the Animals (Scientific Procedures) Act 1986. We will not provide public information which will compromise the personal security of scientists and researchers who have concerns about violent animal extremists. The current extremist activity makes it difficult to move on Freedom of Information.

Closed Circuit Television Initiative

Mr. Chope: To ask the Secretary of State for the Home Department how many applications were received for the crime reduction programme closed circuit television initiative round 2; how many have been invited to bid for the final stage; and how many successful bids can be accommodated within the budget provision. [157383]

Mr. Charles Clarke: Under round 2 of the crime reduction programme's closed circuit television initiative over 800 initial funding applications worth more than £200 million were received from crime and disorder reduction partnerships. On 26 March, 339 schemes with a potential award total of around £108 million were shortlisted as suitable for further development. Within the budget provision there is scope for all of the shortlisted bids to be funded providing that proposals meet the necessary criteria as outlined in the initiative's prospectus.

Mr. Chope: To ask the Secretary of State for the Home Department if he will list, by county, those applicants who have been invited to the final bid stage of the closed circuit television initiative round 2. [157379]

Mr. Charles Clarke: Under round 2 of the crime reduction programme's closed circuit television initiative, 339 schemes with a potential award total of around £108 million were shortlisted as suitable for further development. A list, by county, of those applicants that have been invited to the final stage of the initiative has been placed in the Library.

Firearms (Police)

Mr. Corbett: To ask the Secretary of State for the Home Department if he will place a copy of the January 2001 Association of Chief Police Officers manual of guidance on the police use of firearms, in the Library. [157319]

Mr. Charles Clarke: A copy of this document in the version which is available to the public was placed in the Library on 20 February. Certain tactical and training information contained in the full manual must remain confidential because of its potential value to armed criminals.

Abandoned Vehicles

Mr. Jenkin: To ask the Secretary of State for the Home Department what plans he has to strengthen the powers of the police and local authorities to deal with illegally abandoned cars. [157257]

Mr. Charles Clarke: The Local Government Association has set up a working group, in partnership with the police and the Driver and Vehicle Licensing Agency, to look at the related problems of vehicle theft, vehicle excise duty evasion and abandoned vehicles. The Government will consider carefully any recommendations arising from the work of this group, including any proposals for additional powers to enable the police and local authorities deal more effectively with abandoned vehicles.

Mr. Jenkin: To ask the Secretary of State for the Home Department how many vehicles removed by *(a)* the police and *(b)* local authorities have been declared a hazard in the past five years. [157389]

Mr. Charles Clarke: The information requested is not collected or held centrally.

Mr. Jenkin: To ask the Secretary of State for the Home Department how many vehicle-keepers have been prosecuted for illegally abandoning their vehicles in the past five years. [157388]

Mr. Charles Clarke: The information requested is not available centrally.

Abandoning a motor vehicle is an offence under section 2 of the Refuse Disposal (Amenity) Act 1978, but information contained in the Home Office's Court Proceedings Database does not distinguish between motor vehicles, anything which formed part of a motor vehicle or anything other than a motor vehicle being abandoned. Nor does it distinguish vehicle keepers from other persons.

Persons proceeded against for all offences under section 2 of the Refuse Disposal (Amenity) Act 1978 in England and Wales are as follows:

Year	*Number*
1994	88
1995	98
1996	77
1997	78
1998	71
1999	108

Figures for 2000 are not yet available.

Criminal Records Bureau

Mr. Lidington: To ask the Secretary of State for the Home Department if he will estimate the cost to public funds of exempting volunteers from fees for criminal record checks. [157348]

Mr. Charles Clarke: It remains our intention that the Criminal Records Bureau will be self-financing by means of the charges that it makes for the disclosures that it issues.

Miss Widdecombe: To ask the Secretary of State for the Home Department what action he is taking to ensure that information held by the Criminal Records Bureau is as accurate as possible before checks become available to employers; and if he will make a statement. [157171]

Mr. Charles Clarke: The Criminal Records Bureau (CRB) will rely on a number of data sources, according to the nature of the case. The CRB has been liaising with all those responsible for the data sources in question. We fully recognise, and entirely share, concerns that have been expressed about delays in inputting data on to the Police National Computer, and errors and omissions in some of the data. Indeed, these were highlighted by reports commissioned by the Government. We have been working closely with the Association of Chief Police Officers (ACPO), Her Majesty's Inspectorate of Constabulary (HMIC), the Police Information Technology Organisation (PITO), the Information Commissioner and other concerned parties to tackle these problems. Police forces are now working to a compliance strategy that has been drawn up by ACPO. This sets quantified performance indicators for key aspects of both quality and timeliness, including the prompt inputting of data both in the initial stages of a case and following the conclusion of trial proceedings. There are also agreed programmes to tackle backlogs. Performance data for all forces are being routinely collected by PITO, and HMIC will be auditing performance. HMIC will be disseminating to all forces, through conferences and other means, information on good practice in relation to business processes in order to eradicate avoidable delays. Work is also being undertaken to produce revised protocols for weeding out old records, and the development by PITO of programs for the automated implementation of these protocols will be given priority.

Chief Commissioner of the Metropolitan Police

Mr. Mackinlay: To ask the Secretary of State for the Home Department what investigation there has been of the aircraft accident involving the Chief Commisisoner of the Metropolitan Police by *(a)* the Air Accident Investigation Branch and *(b)* the Police; and if he will make a statement. [157362]

Mr. Charles Clarke: I understand that the circumstances surrounding the emergency landing made by an aircraft piloted by Sir John Stevens at Newcastle-upon-Tyne airport on 3 February have been investigated by the Air Accident Investigation Branch (AAIB) of the Department of Trade and Industry. The results of the AAIB investigation will be published in the AAIB monthly bulletin. There has been no investigation of the incident by Northumbria Police.

Firearms Compensation Payments

Mr. Rendel: To ask the Secretary of State for the Home Department on how many occasions his Department has accepted liability for interest on late firearms compensation payments. [157262]

Mr. Charles Clarke: None.

Road Traffic Penalties Consultation

Mr. Rendel: To ask the Secretary of State for the Home Department how many responses he has received to the Road Traffic Penalties consultation paper; and when he will report on these to the House. [157416]

Mr. Charles Clarke: We have received approximately 1,100 responses to the consultation paper on Road Traffic Penalties. Some individuals have responded more than once, for example by e-mail, fax, letter or through their Member of Parliament. This duplication will be taken into account in the final collation of responses and the final number of respondents will be correspondingly lower. We hope to publish a report on the responses in the summer.

Huntingdon Life Sciences

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what recent investigations he has carried out into the activities at Huntingdon Life Sciences; and if he will make a statement. [157422]

Mr. Charles Clarke: A number of police forces in the Eastern Region are pooling resources and working together on investigations relating to attacks by animal extremists. This joint working includes investigating personal attacks on directors and shareholders of Huntingdon Life Sciences (HLS) and other research centres; a shared approach to preparations for national days of action at the HLS site and other sites in the

affected force areas; investigating the organisers and other key individuals in the many cross-border demonstrations which take place; and linking evidence where necessary.

The Government are absolutely determined to tackle the sort of criminal behaviour perpetrated by animal rights extremists, many of whom do not hesitate to use violence and intimidation to achieve their aims. Both the Government and the police are determined to ensure that people should be allowed to go about their legitimate business without being subject to violence and intimidation. We are introducing a range of measures aimed at combating such intimidation, including important new provisions in the Criminal Justice and Police Bill currently before Parliament.

Prison Service

Miss Widdecombe: To ask the Secretary of State for the Home Department how many Prison Service establishments are over their certified normal accommodation levels; and if he will make a statement. [157170]

Mr. Boateng: At the end of February 2001, there were 53 establishments in which the population exceeded in use certified normal accommodation. The prisons concerned are listed in the table.

Prison name	*In use CNA*	*Population*
Altcourse	614	799
Aylesbury	348	353
Bedford	352	368
Belmarsh	843	850
Birmingham	710	925
Blakenhurst	647	846
Bristol	314	545
Brixton	651	755
Buckley Hall	350	360
Bullingdon	767	836
Canterbury	196	254
Cardiff	403	544
Cookham Wood	120	147
Doncaster	771	1,091
Dorchester	172	219
Downview	322	330
Durham	670	703
Eastwood Park	295	302
Elmley	763	864
Everthorpe	438	456
Exeter	315	385
Glen Parva	664	712
Gloucester	236	277
Guys Marsh	487	509
High Down	649	702
Holloway	477	488
Leeds	770	1,236
Leicester	219	358
Lincoln	360	491
Littlehey	624	626
Liverpool	1,216	1,228
Low Newton	215	234
Manchester	953	1,076
Moorland	740	764
Mount	705	732
New Hall	327	365
Northallerton	135	197
Norwich	561	669
Parc	844	929
Pentonville	897	1,098
Preston	301	556
Ranby	725	741
Shepton Mallet	99	110
Shrewsbury	185	319
Stocken	556	573
Styal	412	428
Usk	251	321
Verne	552	562
Wandsworth	1,128	1,302
Wayland	620	625
Winchester	455	564
Wolds	360	378
Wormwood Scrubs	812	856

Elections Bill

Sir George Young: To ask the Secretary of State for the Home Department since when Parliamentary draftsmen have been working on the Elections Bill. [157146]

Mr. Straw: Instructions were issued by officials on Sunday 1 April.

Welsh Assembly (Concordat)

Mr. McCabe: To ask the Secretary of State for the Home Department when he will publish the bilateral concordat between his Department and the National Assembly for Wales. [157795]

Mr. Straw: A bilateral concordat has been agreed between the Home Office and the Cabinet of the National Assembly for Wales and a copy has been placed in the Library. The concordat sets out working arrangements for consultation, exchange of information, finance, access to services, resolution of disputes and review of relations between the two organisations.

Written Answers to Questions

Monday 9 April 2001

DEFENCE

Logistic Information Systems Agency

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the future status of the Logistic Information Systems Agency. [157803]

Mr. Spellar: As part of the restructuring of the Defence Logistics Organisation, the Logistic Information Systems Agency will cease to be a Defence Agency with effect from 1 April 2001. Its functions will then become part of the unified Logistic Applications Integrated Project Team (IPT) within the Defence Communication Services Agency. The removal of Agency status will avoid potential complications in the management arrangements for the new IPT. This is largely an administrative measure and will not, in itself, result in any geographical relocation or redundancies for staff.

Porton Down

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will order a public inquiry into the programme of human experiments at the Chemical Defence Establishment at Porton Down. [157299]

Dr. Moonie: No. A public inquiry could not answer the central question of whether volunteers had suffered unusual mortality or illness. Only an epidemiological study can do that. Advice from the Medical Research Council has been sought for the feasibility of such a study. Furthermore, Wiltshire Police are conducting an investigation into aspects of this programme. We already make available to the volunteers any information we possess which is relevant to their individual cases. We also plan to conduct further work as outlined in my answers to the hon. Member on 25 January 2001, *Official Report*, column 655W, 5 March 2001, *Official Report*, column 20W and on 26 March 2001, *Official Report*, column 525W.

Mr. Matthew Taylor: To ask the Secretary of State for Defence if his Department has received a report from the Operation Antler team of the Wiltshire Police regarding its inquiries into allegations that the Chemical and Biological Defence Establishment had experimented on NHS patients during the 1960s; and if he will make a statement. [157306]

Dr. Moonie: Allegations dating from 1970 that the Chemical Defence Establishment conducted experiments during the 1960s on old and sick NHS patients who were subsequently put to death were thoroughly investigated at the time. The then Minister for Defence Equipment and the Prime Minister both refuted these allegations on 30 January and on 19 February 1970 respectively. Following inquiries by the Wiltshire police in January 2001, the Operation Antler inquiry advised my Department's officials that these allegations were in one case fabricated, and in another case did not involve Ministry of Defence staff.

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many former service volunteers have visited the Chemical Defence Establishment at Porton Down to inspect records of their experiments and discuss their tests with member of staff since 1 January 1998. [157300]

Dr. Moonie: All former service volunteers who inquire about their participation in studies at the Chemical Defence Establishment are invited to visit Porton Down to view the original record books and discuss their experiences with current members of Porton Down staff.

In the period 1 January 1998 to 6 April 2001, 25 former service volunteers have visited to inspect the records of the studies they were involved in.

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many times since 1 March 1998 the Chemical Defence Establishment at Porton Down has supplied information about former volunteers to the War Pensions Agency in response to a claim by such. [157329]

Dr. Moonie: Since 1 March 1998, the staff at the Chemical and Biological Defence Sector at Porton Down have supplied information in response to 29 requests from the War Pensions Agency.

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer on 22 March 2001, *Official Report*, column 300W, regarding Porton Down, if he will request the Medical Research Council to consult the Operation Antler team of Wiltshire police regarding its advice on an independent epidemiological study for service personnel who took part in experiments at the Chemical Defence Establishment at Porton Down. [157342]

Dr. Moonie: No. The Medical Research Council are aware of the Wiltshire police investigation and should they wish to consult the Operation Antler team, they will do so.

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many individuals have contacted the Porton Down Volunteers Helpline since February 1998. [157345]

Dr. Moonie: Since February 1998, the Porton Down helpline has received 626 inquiries in the form of telephone calls and letters.

Procurement

Mr. Key: To ask the Secretary of State for Defence (1) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for (i) BOWMAN, (ii) Ptarmigan, (iii) Euromux, (iv) Cyprus Fixed Telecommunications System, (v) Fixed Telecommunications System (Germany), (vi) Falkland Islands Trunk System, (vii) BRINTON, (viii) Brunhilde, (ix) Telephone Exchanges Worldwide, (x) Cyprus Fixed Telephone System, (xi) Deployable Local Area Network, (xii), ADLBS MLU & IADS Interface, (xiii) UKADGE ICCS, (xiv) UKADGE CMP, (xv) P-JFACHQ Deployable Air C2, (xvi) P-JFACHQ Receive Only Link 11 System, (xvii) P-JFACHQ Deployable Air C2 Incremental Assessment Demonstration and

Manufacture, (xviii) P-JFACHQ Deployable Shelter System, (xix) P-JFACHQ Quick Win 1, (xx) P-JFACHQ Increment, (xxi) Initiative Local Data Communications Network (LDCN), (xxii) Hourglass, (xxiii) Lambeth, (xxiv) PABX Transportable JAPNMS Facility, (xxv) Tactical Air Control Centre, (xxvi) Ship-Shore-Ship Buffer Tranche 2, (xxvii) Ship-Shore-Ship Buffer Tranche, (xxviii) HF Broadcast Modernisation, (xxix) ITACC LFS, (xxx) RN HF Ship-Shore-Ship Modernisation and NATO Interoperability Programme, (xxxi) Falcon, (xxxii) Saturn, (xxxiii) Cormorant, (xxxiv) Successor Interrogator Friend or Foe, (xxxv) VHF ICAO, and (xxxvi) Defence HF System; [157519]

(2) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Sonar 2087, (ii) PAAMS-Principal Anti-Air Missile System, (iii) Sonar 2193, (iv) Improved Ammunition, (v) Sea Dart IR Fuze, (vi) Seawolf MLU, (vii) T967M Interference Mod, (viii) Seawolf CA/CD, (ix) T911 Interference Mod, (x) Seawolf VL CACD Read ACross; Radar T996, (xi) Radar T996 AVIMP, (xii) LFE; LFB, (xiii) LFC, (xiv) Seawolf Enhanced Low Level Fuze, known as the Seawolf Mk 4 Fuze, (xv) Remote Influence Minesweeping System, (xvi) DLH; Seawolf Telemetry Kits, (xvii) Seawolf PADT, (xviii) Gun System Automatic 8 & General purpose Electro Optical Director, (xix) T23 Frigate Command System, (xx) Tomahawk Land Attack Missile, (xxi) Seawolf Block 2, (xxii) Harpoon, (xxiii) Harpoon Mod and (xxiv) SWELL Mk 4 Fuze; [157494]

(3) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Eurofighter, (ii) Merlin HC Mk 3, (iii) Hercules Rolling Replacement Tranche 1-C-130J, (iv) Future Carrier Borne Aircraft, (v) Future Offensive Air System, (vi) Future Strategic Tanker Aircraft, (vii) Future Organic Airborne Early Warning system, (viii) Support Amphibious battlefield Rotorcraft, (ix) Nimrod Maritime Reconnaissance and Attack Aircraft Mk 4, (x) Merline HM Mk 1, (xi) Attack Helicopter Crew and Special-To-Arm Collective Training, (xii) Watchman Middle Wallop, (xiii) Watchman Wattisham, (xiv) Attack Helicoper and (xv) Sea King Airborne Early Warning Mission System Upgrade (MSU)-Sea King AEW Mk 7; [157490]

(4) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for (i) Guided Multiple Launched Rocket System, (ii) Next Generation Light Anti-Armour Weapon, (iii) Area Defence Weapon, (iv) Light Forces Anti-Tank Guided Weapon, (v) SA80 Modifications, (vi) Aimed Controlled Effect Anti-Tank Munition, (vii) AS90 Training System, (viii) Battlegroup Thermal Imaging, (ix) Future Ground Based Air Defence, (x) Air Defence Command Information System, (xi) CHARM 3 Training Round, (xii) Integrated Ground Based Air Defence, (xiii) Extended Range Ordnance Modular Charge System, (xiv) High Velocity Missile System, (xv) MLRS Future Fire Control System, (xvi) Indirect Fire Precision Attack, (xvii) Tubed Artillery Conventional Ammunition System, (xviii) Advanced Sound Ranging Programme, (xix) Light Mobile Artillery Weapon System, (xx) Man-Portable Surveillance Target Acquisition Radar, (xxi) Mid-Life Improvement, (xxii) Joint Fire Support Battlefield Information System Application, (xxiii) Counter Battery Radar, (xxiv) Automatic Pointing System, (xxv) Mobile Artillery Monitoring Battlefield Radar, (xxvi) Fire Control Battlefield Information System Application, (xxvii) Future Integrated Training System, (xxviii) Field Electrical Power Supplies, (xxix) 4.5kW Genset, (xxx) Lighting Towers, (xxxi) Temporary Field Accommodation, (xxxii) Pumpsets Dewatering, (xxxiii) Filter Water Separator 2000 Litres Per Min, (xxxiv) Refrigerated ISO Container and (xxxv) Field Bulk Refuelling Equipment 680 Litres Per Min; [157586]

(5) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Crusader 21, (ii) Mk 5 EOD Suit, (iii) Re Mine Suit/Suit Combat EOD, (iv) CS 95 LT WT trousers, (v) CS 95 field jacket, (vi) CS 95 underwear, (vii) CS 95 glove, (viii) RN improved action working dress and (ix) RN improved foul weather clothing; [157492]

(6) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Advanced Short Range Air-to-Air Missile, (ii) Microwave Landing System, (iii) RAIDS, (iv) Bomb Enhancement Kits-Precision Guided Bomb, (v) TIALD, (vi) Beyond Visual Range Air-To-Air Missile, (vii) Saturn Lynx Mk 8, (viii) Additional Towed Radar Decoys for Tornado F3, (ix) Active Search Sonobuoy System, (x) Ship Helicopter Operating Limits Instrumentation System, (xi) Airborne Stand-Off Radar (ASTOR), (xii) SMGS, (xiii) Conventionally Armed Stand-Off Missile, (xiv) Aircrew Synthetic Training Aids and (xv) Directional Infra-Red Countermeasures; [157491]

(7) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Joint Tactical Information Distribution System for Sea Harrier FA2 and Sea King AEW Mk 7, (ii) RN Joint Tactical Information Distribution System, (iii) Satellite Tactical Data Link NATO Improve Link Eleven and (iv) Modular Field Catering System; [157493]

(8) if he will list the *(a)* original in-service date, *(b)* current in-service date, *(c)* estimated or actual cost, *(d)* years of peak expenditure and *(e)* prime contractor for the (i) Roll-On Roll-Off Strategic Sealift, (ii) Future Attack Submarine, (iii) Future Surface Combatant, (iv) Type 45 Anti-Air Warfare Destroyer, (v) Alternative Landing Ships Logistic, (vi) Primary Casualty Receiving Ship, (vii) Future Naval Nuclear Fuel, (viii) Type 23 Frigates, (ix) Hydrographic and Oceanographic Survey Vessels and (x) T23 Helicopter Deck Handling Equipment (PRISM). [157495]

Dr. Moonie: The majority of the information requested is not held centrally and it could be provided only at disproportionate cost. I have already undertaken to provide the hon. Member with information on a number of the projects listed.

Qinetiq

Mr. Viggers: To ask the Secretary of State for Defence what inquiries were made about the ownership of the name Qinetiq before its acquisition by DERA; and with what results. [157556]

Dr. Moonie: The naming process resulted in approximately seven candidate options, all of which were subjected to a series of high-level searches. For each candidate option, its Uniform Resource Locator (URL) availability was established and existing registrations of similar company name, trademarks and URLs investigated. A cultural name check was also undertaken. The results ruled out several options mainly on the basis of URL availability.

The chosen name underwent a full and thorough examination by NewDERA's lawyers, Herbert Smith.

The services they undertook included:

Full URL name check

Trademark search and registration in all relevant classes and countries including a third party rights research

Company name search.

Trademark registrations have been filed in the UK, US, EU and a number of other countries. During this period objections can be raised and the process is ongoing, expected to take several months. No notice of opposition has been received to date.

Hawk Jets (Exports)

Mr. Baker: To ask the Secretary of State for Defence (1) what support his Department has given to British Aerospace with regard to that company's contract to supply Hawk jets to India; [156871]

(2) what Ministers from his Department have been involved in discussions with *(a)* BAE and *(b)* the Indian Government regarding the contract to supply Hawk jets to India. [156872]

Dr. Moonie *[holding answer 4 April 2001]:* In accordance with the Ministry of Defence's responsibility for promoting legitimate defence exports in co-ordination with industry, MOD has given full support to BAE Systems' bid to supply Hawk jets to India.

In fulfilling this responsibility, the Secretary of State for Defence and the Minister for Defence Procurement have met with BAE Systems and the Indian Government to discuss the Hawk proposal.

Eurofighter

Mr. Bercow: To ask the Secretary of State for Defence what assessment he has made of the number of occasions *(a)* UK, *(b)* US, *(c)* Soviet and *(d)* other NATO aircrews in jet aircraft used cannon armament, in his assessing the need for a Eurofighter cannon. [156973]

Mr. Hoon: The historical pattern of operations, together with the improved short-range capability of the missiles with which Eurofighter will be armed, were taken into account in our assessment that the minimal value of a cannon on Eurofighter is more than outweighed by its considerable associated costs and disadvantages.

The last occasion on which the UK used a cannon in air-to-air combat resulted in one successful hit during the Falklands conflict. Figures for other countries are not known, but historical success rates for fighter gun attacks suggest a 5 per cent. combat probability of kill for the Allies late in World War II, and perhaps 10 per cent. in the Korean War. While the probability of success with guns has advanced little over the years, the performance of air-to-air missiles is now far in excess of these statistics. Similarly, the modern precision-guided munitions with which Eurofighter will be armed make firing a cannon in Eurofighter's offensive support role difficult to justify, owing to the risk of collateral damage and the increased vulnerability of the aircraft.

US Military Personnel (Compensation)

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer on 22 March 2001, *Official Report*, column 300W, if he will request his Department's Liaison Officer in Washington to gather information on US arrangements for paying compensation to veterans who participated in chemical warfare trials in the US. [157305]

Dr. Moonie: Yes, if there is a need to do so.

Canadian Military Personnel (Compensation)

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will send a team of his staff to Canada to evaluate the system under which the Canadian Government provides compensation to former military personnel who have developed illnesses as a result of taking part in chemical warfare experiments. [157307]

Dr. Moonie: I have no plans to do so.

Saville Inquiry

Mr. Gerald Howarth: To ask the Secretary of State for Defence how much his Department has spent to date in support of former soldiers in connection with the Saville Inquiry; of that sum how much was attributable to lawyers' fees; and how much has been budgeted for 2001–02. [157559]

Mr. Hoon: The total cost to date to the Ministry of Defence of supporting former and serving soldiers in connection with the Saville Inquiry is £9,600,428. Of this, £8,845,503 was attributable to payment to the legal teams, covering both fees and other related costs which have not been recorded separately.

The amount budgeted by the Ministry of Defence for payments to legal teams for 2001–02 comes to approximately £3.5 million.

Future Strategic Tanker Aircraft

Mr. Key: To ask the Secretary of State for Defence what the cost to date has been of the bid by DERA Boscombe Down for the main operating base for the future strategic tanker aircraft. [157454]

Dr. Moonie: The costs to date of the DERA Boscombe Down element of the bid for the main operating base for the future strategic tanker aircraft project are in the region of £240,000.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Regeneration Funds

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions how many projects submitted to the Merseyside objective 1 programme have been approved; what is the total value of those projects; how many projected jobs are related to them; and if he will make a statement. [156233]

Ms Armstrong: Priority Panels have approved 66 such projects, of which offer letters have been issued to 31 applicants and accepted by 22 of them. The total eligible value of these projects is £152 million and European Regional Development Fund grants of £59.75 million have been made towards these costs. The projects are expected to create 5,073 and safeguard 6,901 jobs.

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions how much funding has been made available to Liverpool for regeneration purposes since 1997. [156235]

Ms Armstrong: Since 1997 £356.97 million has been made available to Liverpool for regeneration purposes. The table gives a breakdown of this figure.

Source of funding	*Amount (£ million)*
Single Regeneration Budget	80.87
Estates Renewal Challenge Fund	54
Neighbourhood Renewal Fund	'45.2
New Deal for Communities	61.9
Partnership Investment Programme	113
Land Reclamation Programme	2
Total	356.97

' The Neighbourhood Renewal Fund figure is the total indicative allocation for Liverpool for 2001–04

In addition, the Merseyside objective 1 programme 1994–99 has made available approximately £338 million for the regeneration of Merseyside since 1997. Unfortunately, it is not practicable to break down this figure by district. A further £844 million of European grants will be made available for the Merseyside sub-region for the 2000–06 programming period.

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 21 December 2000, *Official Report*, column 312W, how many of the Merseyside objective 1 projects referred to the State Aids Policy Unit at the Department of Trade and Industry have been assessed by the unit; when the Government Office North West was informed about those decisions; which projects have been cleared; what their total value is; how many projected jobs relate to them; and if he will make a statement. [156371]

Ms Armstrong: The State Aids Policy Unit of the Department of Trade and Industry provided advice on 26 cases; Government Office for the North West was notified of the decisions between 22 January and 27 March 2001; 13 projects were cleared to proceed by the State Aids Unit. Of these only 10 projects will proceed through the appraisal process, with a total value of £16,806,303; they are expected to create 100 jobs.

Projects cleared by State Aids Policy Unit

Empire Reconstruction Phase 3
Crawford House
Mersey Forest Phase 3
King George Bootle Credit Union Action Plan
Kirby Lets and Credit Union Development Programme
Northwood Star Community transport
Dingle Community Learning Programme Building
Stanley Dock Action Plan
Beatles Themed Hard Days Night Hotel
Oakmere Conference and Multi-Media Centre
Scotland Road Gateway
National Wildflower Centre
Training Workshop Facilities.

"Tiredness Can Kill"

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what role concessionaires at motorway service areas have in respect of the siting of "Tiredness Kills" notices. [156834]

Mr. Hill: The Highways Agency has occasionally provided "Tiredness Can Kill" signs at locations, like the main holiday routes, where motorists are especially likely to drive for long periods without a rest. Motorway service area (MSA) operators were not involved in these decisions.

More recently, MSA operators have approached the Agency about providing these signs at their own expense. The Agency will normally agree unless there are site-specific reasons for refusing. There are no formal rules, but we have sought to ensure that, where provided, these signs are placed no more than a mile or two ahead of an MSA where drivers can stop safely.

Child Road Deaths

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions how many child road deaths were caused by defective child car seats in each of the last three years. [157096]

Mr. Hill *[holding answer 5 April 2001]:* Statistics on road accident fatalities in which defective child car seats were a contributory factor are not available.

Town and Country Planning (Control of Advertisements) Regulations

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans to strengthen enforcement action in relation to the Town and Country Planning (Control of Advertisements) Regulations 1992. [157159]

Ms Beverley Hughes: In June I announced amendments we proposed to make to the Town and Country Planning (Control of Advertisements) Regulations 1992. One of the proposals is an amendment to section 225 of the Town and Country Planning Act 1990 to allow local authorities to act at their own discretion to remove posters where they consider them to be illegal. This would bring the legislation into line with current practice and protect the rights of property owners

and those advertising legally. The amendment will be made when a suitable legislative opportunity arises.

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157129]

Ms Beverley Hughes: The principal funding that this Department has provided to Amber Valley Borough Council and Derbyshire County Council between 1997–98 and 2001–02 is shown in the tables. These include grants and borrowing approvals for revenue and capital expenditure.

It is not possible to determine how much of this money Derbyshire County Council has spent on Amber Valley constituency. It is for the local authority to decide where within its boundary these resources are applied.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*[1]2001–02*
Amber Valley Borough Council					
Revenue Support Grant	2.352	2.271	2.169	1.993	2.464
Income from National Non-Domestic Rates	3.647	3.696	3.993	4.441	4.437
Housing Investment Programme	1.293	1.355	1.419	3.476	4.793[2]
Capital Receipts Initiative	—	0.820	0.858	—	—
Housing Revenue Account Subsidy (Management and Maintenance Allowance)	£689.50 per property	£715.81 per property	£741.62 per property	£770.91 per property	£768.67 per property
SRB funding[3]	0.117	0.449	0.619	0.564	0.264
Derbyshire County Council[4]					
Transport Supplementary Grant	1.008	1.060	1.132	—	—
Transport Annual Capital Guideline	1.008	1.060	1.132	—	—
Transport Block Supplementary Credit Approval	0.970	0.891	2.371	5.939	18.008
Rural Bus Challenge Grant (from 1999–2000)	—	—	0.800	0.155	0.600
Rural Bus Subsidy Grant (from 1998–99)	—	0.714	0.714	0.714	0.912

[1] Where known.
[2] Includes Major Repairs Allowance.
[3] SRB scheme aims to improve industrial estates and enhance the environmental performance of the businesses, whilst tackling low levels of literacy and numeracy through training based projects.
[4] Figures for Derbyshire County Council exclude funds allocated for the Derby Local Transport Plan area.

Access Forums

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions (1) when he will publish regulations on the establishment of access forums; [157155]

(2) if regulations to be made under the Countryside and Rights of Way Act 2000 will require local authorities to advertise locally and notify relevant groups which already exist before access forums are established; and if he will make a statement. [157156]

Mr. Meacher: We expect to consult on the proposed requirements for local access forums in England during the summer. Our proposals will include provision for the appointment of forum members and consultation by authorities with relevant interests prior to making appointments. We expect to lay regulations before Parliament before the end of the year.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities that have established an access forum; if, in each case, the proposed establishment of the body was *(a)* advertised locally and *(b)* notified to rights of way groups; and if he will make a statement. [157154]

Mr. Meacher: No local access forums can be established under Part V of the Countryside and Rights of Way Act 2000 until regulations have been made by the Secretary of State under section 94 of the Act. Some local authorities operate informal consultative groups to discuss issues relating to access and rights of way. No information is held centrally about which authorities have done so. We welcome initiatives by local authorities to set up such groups ahead of any statutory system, and the Countryside Agency has issued guidance to authorities on how best this might be done.

Motor Vehicle Repairs

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions if the Vehicle Inspectorate routinely tests non-original equipment parts used in the motor vehicle body repair industry. [157122]

Mr. Hill: No. Testing and approval of components and vehicles prior to sale or registration is carried out by the Vehicle Certification Agency in the UK. However, there is no statutory approval standard for non original replacement body panels and so they are not tested or approved.

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to require vehicles that have been repaired following a serious accident to be subjected to independent tests. [157126]

Mr. Hill: Under new provisions which have recently been approved by Parliament, such vehicles will, in future, need to be inspected by officials from the Department's Vehicle Inspectorate before they can legally be returned to the road.

The objective of inspecting such vehicles will be to ensure that they are genuine, rather than having been stolen and disguised with the identity of similar

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accident-damaged ones. At present in the region of 40,000 stolen cars annually are sold on in this way to unsuspecting purchasers. The new inspection scheme will help to eliminate this criminal activity.

The new inspection scheme is not intended to check on the adequacy of the accident repair—and this point will be made very clear to vehicle presenters. That would have made the scheme very costly and unnecessarily cumbersome. However, we are naturally very concerned to do all we can to see that only safe vehicles are used on the road and we will therefore be encouraging motorists to have vehicles independently checked by experts if there is any doubt at all about the quality of repair.

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions what regulations govern the disposal of vehicles that have been written off after accidents. [157123]

Mr. Hill: There are no regulations which deal specifically with this subject.

In practice when a vehicle is written off after an accident it might either end up being crushed or broken for spare parts. Alternatively, where the damage is not so severe, it might be repaired and returned to the road.

In all cases where a vehicle is crushed or broken the owner is required by Regulation 13 of the Road Vehicles (Registration and Licensing) Regulations 1971 to notify the Secretary of State of that fact and at the same time to surrender the registration document to him. This requirement is to be strengthened by a European Directive concerned with the disposal of motor vehicles when they have reached the "end of life".

In future, in all cases where a written-off vehicle is repaired and returned to the road it will firstly need to be inspected by officials from the Department's Vehicle Inspectorate. The objective of inspecting such vehicles will be to ensure that they are genuine, rather than stolen vehicles disguised with the identity of similar accident-damaged ones.

Mr. Stevenson: To ask the Secretary of State for the Environment, Transport and the Regions what annual usage of volatile organic compounds require motor vehicle body repair shops to register with their local authority. [157138]

Mr. Hill: The Environmental Protection (Prescribed Processes and Substances) Regulations 1991, as amended, made under Part I of the Environmental Protection Act 1990 set thresholds for annual usage of organic solvents in coating processes. The regulations include a requirement that the following processes be authorised by the relevant local authority:

> "Any process for the repainting or respraying of or of parts of road vehicles if the process may result in the release into the air of particulate matter or of any volatile organic compound and the carrying on of the process by the person concerned at the location in question is likely to involve the use of 1 tonne or more of organic solvents in any 12 month period."

Additionally, under the Solvent Emissions Directive (1999/13/EC) motor vehicle body repair shops that use between 0.5 and 1 tonne per annum of organic solvents will also be required to be regulated to control volatile organic compound emissions. However, for existing processes, the provisions of the Directive will not fully apply until October 2007.

Departmental Policies (Eccles)

Mr. Ian Stewart: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, including statistical information relating as directly as possible to the Eccles constituency, the effects on Eccles of his Department's policies and actions since 2 May 1997. [157288]

Ms Beverley Hughes: The principal funding which this Department has provided to Salford in 1997–98 to 2000–01 is shown in the table. This includes grants and borrowings approvals for revenue and capital expenditure.

It is not possible to determine how much money has been spent on Eccles. It is for the local authority to decide where within its boundary these resources are invested.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Revenue Support Grant[1]	100.6	108.6	113.9	111.7	117.6
Income from National Non-Domestic Rates[1]	50.3	52.1	56.1	62.9	61.1
Housing Investment Programme	5.8	5.5	6.2	16.5	22.1
Capital Receipts Initiative	—	4.0	4.1	—	—
Neighbourhood Renewal Fund	—	—	—	—	2.7
Challenge Fund[2]	3.9	4.9	1.7	0.2	—
New Deal for Communities Funding[3]	—	—	—	0.2	0.1
ERDF Funding[4]	—	—	—	—	—
Transport Supplementary Grant	2.9	0.8	0.3	—	—
Transport Annual Capital Guideline[5]	2.9	0.8	0.2	1.6	—
Transport Block Supplementary Credit Approval[5]	1.1	1.0	1.0	3.8	—
Rural Bus Subsidy Grant[6]	—	0.02	—	—	0.2

[1] These figures have not been adjusted to make year on year comparisons possible

[2] The Salford Partnership—Round 2. A five year strategy within City Pride context combining city-wide programmes on economic development, removing barriers to employment, community safety and crime reduction with concentration on physical development in areas of need. Challenge Fund total—£16.7 million. Scheme total £60.5 million

[3] 2000–01 includes both Phase 1 and 2. 2001–02 is Phase 2 carried over into this financial year

[4] Two wards of the Eccles constituency are part of the Inner Salford Action Plan area which has been awarded £1.3 million ERDF grant, of which £453,448 has been claimed since July 1998. The claims do not follow the financial year so cannot be broken down

The rest of the Eccles constituency will be included in the City Pride area which includes all the eligible areas of Manchester, Salford and Trafford; it is therefore not possible to determine how much ERDF will have been of benefit to Eccles. The amount of ERDF/ESF awarded to City Pride is approximately £36 million

[5] The figures for 1999–2000 and 2000–01 include the Metrolink Eccles extension which was completed last year. Transport figures for 2001–02 are not yet available

[6] These figures are for Greater Manchester

Traffic Calming Measures

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions (1) what guidelines and specifications he issues about the installation of speed ramps; [157291]

(2) what the specifications are for the size of speed bumps. [157292]

Mr. Hill: Road hump is the generic name for any vertical deflection for controlling vehicle speed. The Highways (Road Humps) Regulations 1999 state that a road hump should be between 25 and 100mm in height, with no vertical face higher than 6mm and have a minimum width in the direction of traffic not less than 900mm.

The DETR has issued a range of traffic advisory leaflets to all local authorities in England and Wales giving guidance on the installation of road humps. Within the scope offered by the Regulations, it is for highway authorities to decide the most appropriate design and dimension of road hump for each of their roads.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he issues about traffic calming outside schools. [157290]

Mr. Hill: A wide range of advice on traffic calming measures is available through the "Traffic Advisory Leaflet" series published by my Department and issued to all local authorities in England and Wales. The Road Safety Strategy, "Tomorrow's Roads—Safer for Everyone", published in March 2000, stated that local authorities are to be encouraged to use the increased powers they have available to them to introduce 20 mph zones and speed limits in residential areas, where appropriate. This should be a priority, particularly in areas where there are large numbers of children, such as in the vicinity of schools.

Carbon Dioxide Emissions

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department *(a)* has undertaken and *(b)* plans to undertake about the action required to achieve a reduction of 60 per cent. in carbon dioxide emissions in the UK; and if he will publish it. [157428]

Mr. Meacher: The UK Climate Change Programme, published in November 2000, noted that the Government would review the options for longer term energy choices, considering the scale of emission reductions that might be needed in view of current projections for energy use and the scope and cost of low carbon or energy options that may exist to bridge the gap.

The Government have recently published a report commissioned from AEA Technology, "Role of Technology in Emissions Abatement Under the UN-FCCC: the Medium to Long Term", and has placed a copy in the Library of the House. The study says that cuts of 70 per cent. to 90 per cent. in carbon dioxide emissions are technically feasible over the next 50 to 100 years, but supportive policy decisions will be needed to achieve this.

My Department also plans to commission a study this year to examine policy options for achieving cuts in greenhouse gas emissions beyond 2010, the time frame of the Climate Change Programme.

The findings of both studies will contribute towards the Government's response to the Royal Commission on Environmental Pollution report 2: "Energy—the Changing Climate".

Fuel Poverty

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many households have been removed from fuel poverty by improvements to the energy efficiency of their home, referred to in paragraph 6.10 of The UK Fuel Poverty Strategy. [157427]

Mr. Meacher: Provisional estimates suggest that the number of fuel poor households fell by nearly one million between 1996 and 1999, due to reductions in energy prices and improved incomes. Data are not yet available to estimate the effect of improvements made to the energy efficiency of homes during the period. These data will be collected as part of the 2001 English House Condition Survey to be carried out later this year.

Hydrogen Sulphide Leak (Southwark)

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions what level of hydrogen sulphide was emitted at Southwark tube station on 8 March 2001; how many London Underground staff were advised to seek medical attention following the discovery of the hydrogen sulphide leak; how many members of the public were advised to seek medical attention following the discovery of the hydrogen sulphide leak; and what public statement was made to inform the public as to the reason for the closure of Southwark Underground station on that date. [157251]

Mr. Hill *[holding answer 6 April 2001]:* London Underground (LUL) informs me that Southwark station was closed on 8 March 2001 and the London Fire and Emergency Planning Authority (LFEPA) alerted following a report from contractors that the gas monitoring equipment was showing toxic gases present in a non-public area of the station. The LFEPA discovered sewage which had blocked the drainage system and had as a result caused a build up of hydrogen sulphide, though the level of gas found was very low. The LFEPA cleared the sewage therefore removing the source of the gas.

As a precautionary measure five members of LUL staff were taken to hospital for checks and later released without problems. LUL confirm that the public were not at risk at any time during this incident as the gas was found in a non-public area and upon its discovery they had instituted normal evacuation procedures and the station had been closed immediately. As the incident was quickly resolved without any ongoing problems London Underground felt that it did not merit a public statement to be released following it.

Abandoned Cars

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate how many cars are abandoned illegally each year. [157256]

Mr. Hill *[holding answer 6 April 2001]:* The Department holds no central records at present of the number of vehicles abandoned illegally each year but plans to collect information in the next Municipal Waste Management Survey later this year.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what measures the Government are proposing to address the problem of illegally abandoned vehicles. [157263]

Mr. Hill *[holding answer 6 April 2001]:* The Government have improved registration arrangements to require the seller to notify the Driver and Vehicle Licensing Agency (DVLA) when ownership of a vehicle changes. DVLA are encouraging local authorities to link electronically with them so that vehicle keeper information can be obtained more quickly and will shortly issue a Circular to all local authorities on the procedures for dealing with abandoned vehicles.

Two pilot schemes are due to start this month—in Lewisham and Newham, who will target unlicensed vehicles using DVLA's wheelclamping powers. The boroughs will retain the wheelclamp release fees and storage fees. Both pilots will run for 12 months.

We are also working with the Local Government Association, police and DVLA to identify good practice and exploit opportunities for cross-agency working in tackling the related problems of vehicle theft, vehicle excise duty evasion and abandoned vehicles and will consider from this the need for any legislative change.

Local Government

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to delay the deadline for local authorities to submit proposals for new political arrangements under Part II of the Local Government Act 2000, following the postponement of annual council meetings. [157609]

Ms Armstrong: Subject to the enactment of the Elections Bill, we intend to issue revised statutory guidance under the Local Government Act 2000 about the submission of proposals. We intend any such revised guidance to provide that those councils which are holding local elections on 7 June 2001, or where due to local circumstances the usual conduct of business has been disrupted, should submit proposals by 14 September 2001 instead of by the current guideline date of end of June 2001.

Windmills

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it a condition of planning permission for new houses to be equipped with a small windmill to generate electricity. [157542]

Ms Beverley Hughes: It is for local planning authorities in the first instance to decide on specific planning conditions. We are keen to encourage renewable energy initiatives that are feasible and effective.

East Thurrock Port

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if, in advance of the visit of the Under-Secretary, my hon. Friend the Member for Streatham (Mr. Hill), to the C2C line in Thurrock, an examination will be made of anticipated additional freight movements consequent on the proposed new port development in East Thurrock, with particular reference to the impact on level crossing access to East Tilbury. [157361]

Mr. Hill *[holding answer 6 April 2001]:* The Strategic Rail Authority has consulted with Railtrack and freight operators to make outline assumptions on extra freight traffic as a result of the potential development. This is to help facilitate their London Freight Routing Strategy, ensuring sufficient network capacity is provided. The actual number of extra freight services that will use the C2C route as a result of the new development cannot be accurately forecast at present. It will be for the developers of the project in association with the rail freight operators and Railtrack to make predictions. I understand that Thurrock Council has convened a meeting in May involving the SRA, Railtrack, C2C and freight operators to discuss the impact of the options for the proposal.

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for the Environment, Transport and the Regions which consultants have been engaged to undertake market testing in connection with the future use of the Millennium Dome site; at what cost to public funds; and if he will make a statement. [157561]

Ms Armstrong: The Government have asked English Partnerships to lodge and explore all expressions of interest, with a view to considering options and mechanisms for the future use of the Dome, before any announcement is made by the Government about the next process. English Partnerships, with Jones Lang LaSalle, are currently engaged in comprehensive market testing, to inform that process. The precise cost of this work is not currently known, as work is ongoing, but it is intended that these and any other costs incurred during the sale process will be deducted from the receipts generated by the disposal of the Dome site.

GM Crops

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out his reasons for proposing GM trials in Mathry, Pembrokeshire and Sealand in north Wales; and if he will publish the baseline data on each site on which the impact assessment will be based. [157485]

Mr. Meacher: The sites used in the Farm Scale Evaluations (FSE) are found by industry and are assessed against scientific criteria by the researchers carrying out the fieldwork. The sites are finally approved by the independent scientific steering committee overseeing the Farm Scale Evaluations on the basis of scientific criteria

alone. Ministers do not take decisions on the choice of sites. The scientific steering committee selects sites to reflect the geographic range across the UK where the conventional varieties of the FSE crops are already grown. This ensures that a full range of habitats is evaluated.

The design of the Farm Scale Evaluation experiment does not require a pre-experiment assessment of baseline data other than pre-sowing seed sampling, which gives an indication of the potential for weeds to grow in the field. This is because the experiment is designed to compare effects of herbicide use between the two sides of each experimental field. One half is randomly selected and planted with the GM crop, while the other half is planted with the non-GM equivalent crop. This design allows for the effects of the herbicides on wildlife in the two halves of the field to be assessed more accurately than would be possible by comparison with wildlife in the crop before the start of the experiment.

The purpose of the Farm Scale Evaluations is to examine whether there are any differences in the diversity and abundance of farmland wildlife associated with the use of GM herbicide tolerant crops with the herbicides to which they are tolerant, as compared with equivalent non-GM crops. The wildlife found in crop fields is affected by factors such as the vegetation and crop type. Wildlife present in the bare field before sowing or in a previous, different crop the year before, will not be the same as that to be expected in the experimental crop. Measurements of differences in wildlife between a pre-trial audit and within the experimental crop during the experiment would therefore not allow the effects of the herbicide to be measured.

Mrs. Lawrence: To ask the Secretary of State for the Environment, Transport and the Regions who will be liable for providing compensation for farms in organic production or conversion if their *(a)* production and *(b)* status is damaged as a result of genetically modified farm scale trials being undertaken at Mathry, Pembrokeshire. [157571]

Mr. Meacher: Liability for the use of GM crops is an important issue, which is being addressed both at European and UK levels. I will be considering this year a range of options for possible new liability provisions in respect of any damage from GM crops. In the meantime an individual who has suffered loss may be able to commence an action in the courts. Each case will turn on its own facts and the question of who is liable will be determined in the light of all the circumstances.

Mrs. Lawrence: To ask the Secretary of State for the Environment, Transport and the Regions what the procedures are for informing *(a)* hon. Members representing Welsh constituencies, *(b)* the National Assembly for Wales and *(c)* local authorities about plans to use sites in their areas for genetically modified trial tests. [157569]

Mr. Meacher: Releases of Genetically Modified Organisms (GMOs) are controlled under European Union Directive 90/220. This recognises two types of release, those for research purposes (known as Part B releases) and those for commercial purposes (known as Part C releases).

Any Part B releases in Wales would have to be notified to the National Assembly before sowing and would have to be advertised in a paper circulating in the locality. GM crops holding a Part C release consent, like the GM maize to be grown in Wales this year, are assessed by all EU member states. The consent is valid in all member states and once granted there are no requirements for individual sowings of the crop to be notified to the Government or consulted upon.

Under an agreement with SCIMAC, the farming and biotechnology industry body, DETR publishes site location details of all the FSEs in England and Wales on its website "www. detr. gov. uk" including those of crops holding Part C approval. DETR officials informed National Assembly officials of the locations of the sites in Wales once they had been notified of the locations by industry. With the agreement of Assembly officials they then wrote to community councils and local authorities in Wales in which a trial was planned in order to provide information about the Farm Scale Evaluation programme.

Mrs. Lawrence: To ask the Secretary of State for the Environment, Transport and the Regions who will be responsible for the monitoring of genetically modified trial test sites in the constituency of Preseli Pembrokeshire. [157567]

Mr. Meacher: The ecological study monitoring is carried out by scientists from the research consortium comprising the Centre for Ecology and Hydrology (CEH), the Institute of Arable Crops Research (IACR) and the Scottish Crops Research Institute (SCRI).

Scientists visit study sites during and after the sowing of the GM crop and also in subsequent years to assess the effects of the herbicide on biodiversity. These site visits are supplemented by inspections from the Central Science Laboratory (CSL) to check that the release of the GM crop is being carried out in accordance with the release consent.

Mrs. Lawrence: To ask the Secretary of State for the Environment, Transport and the Regions what key indicators will be monitored on each of the genetically modified farm scale trials sites on a case-by-case basis in the constituency of Preseli Pembrokeshire. [157566]

Mr. Meacher: The Farm Scale Evaluations use a split field study design whereby half the field is sown with GM crops and half with conventional crops of the same type. The researchers compare key indicators of biodiversity between the GM and non-GM sides of the fields.

The indicators being measured at each site are:

Soil seed bank;

Arable plant diversity, biomass and estimated seed return;

Field margin and boundary vegetation, noting species in flower and signs of unintentional spray drift of weed-killer during its application to the field;

Gastropods (slugs and snails): abundance, activity and diversity measures;

Arthropods (especially insects and spiders) on vegetation, concentrating on plant bugs (Heteroptera), spring tails (Collembola), and the caterpillars of butterflies, moths (Lepidoptera), and sawflies (related to wasps (Hymenoptera)); diversity and biomass measures;

Ground (Carabid) beetles and other ground dwellings arthropods; abundance and diversity measures;

Bees and butterflies; observational studies;

Earthworm casts—observational studies.

Full details on the science of the Farm Scale Evaluations are available from a scientific paper on the DETR's website: www.detr.gov.uk

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what representations *(a)* he received from and *(b)* he made to (i) the National Assembly for Wales and (ii) the Wales Office prior to the decision to allow field trials of genetically modified crops on three farms in Wales; and if he will make a statement. [157601]

Mr. Meacher: Meetings were held earlier this year with Ministers from the devolved administrations, including the National Assembly for Wales and the Office of the Secretary of State for Wales which discussed the Farm Scale Evaluation programme in general terms.

Sites for GM crops under the Farm Scale Evaluations programme are found by industry and are assessed against scientific criteria by the researchers carrying out the fieldwork. They are finally approved by the independent scientific steering committee overseeing the evaluations. Ministers do not take the decisions on the choice of sites. Sites are selected on scientific criteria and the independent scientists on the steering committee have always been open about the need to have a range of sites across the UK representative of where maize is grown. This is to help ensure that a full range of habitats is evaluated.

Carwyn Jones AM, the Minister for Rural Affairs, National Assembly for Wales, wrote to me on 23 March stating that he might issue a prohibition notice under the Environmental Protection Act 1990 to stop releases of GM maize in Wales. He has asked that the Advisory Committee on Releases to the Environment undertake an urgent scientific assessment into the adequacy of separation distances between GM and non GM crops, particularly organic crops.

Railtrack

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions what powers the Government directors on Railtrack have been given; and whom they will report to. [157701]

Mr. Hill: There are no Government directors on the Railtrack Board. On 2 April, Railtrack announced its intention to appoint a non-executive director to its main Board with a remit to provide a public interest and consumer voice within the Board. On reporting, normal corporate governance arrangements will apply, with the new director under the same obligations as other non-executive directors.

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions what discussions have taken place on Government shareholding in Railtrack in exchange for *(a)* Government funding and *(b)* subsidy. [157700]

Mr. Hill: The package of rail measures announced on 2 April included an agreed Statement of Principles setting out the basis for a new relationship between Railtrack and Government. The package did not include proposals for Government to acquire more shares in the company.

Housing (Southwark)

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been *(a)* bid for, *(b)* allocated, *(c)* handed over and *(d)* spent on (i) housing and (ii) regeneration schemes in the London borough of Southwark in each of the last five years. [157264]

Mr. Raynsford: The principal funding that this Department has provided to the London borough of Southwark for (i) housing and (ii) regeneration schemes are shown in the table. This includes grants and borrowing approvals for revenue and capital expenditure.

These figures have been drawn together from a wide variety of sources and are the most accurate available at this time.

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*[1]
Housing Investment Programme					
Bid for	[2]—	[2]—	[2]—	[2]—	[2]—
Allocated	20,129,000	27,752,000	29,229,000	45,946,000	52,921,000
Handed over	20,129,000	27,752,000	29,229,000	45,946,000	52,921,000
Spent	[3]—	[3]—	[3]—	[3]—	[3]—
Housing Revenue Account Subsidy[4]					
Bid for	[2]—	[2]—	[2]—	[2]—	[2]—
Allocated	130,861,916	122,044,327	115,504,573	[5]117,290,559	[6]—
Handed over	130,861,916	122,044,327	115,504,573	[5]117,290,559	[6]—
Spent	301,000,000	294,900,000	289,100,000	[7]273,700,000	[6]—
Cash Incentive Scheme					
Bid for	[3]—	[3]—	[2]—	[2]—	[2]—
Allocated	3,253,000	2,029,000	[2]—	[2]—	[2]—
Handed over	3,253,000	2,029,000	[2]—	[2]—	[2]—
Spent	3,253,000	2,029,000	[2]—	[2]—	[2]—
SRB Funding[8]					
Bid for	[3]—	[3]—	[3]—	[3]—	[2]—
Allocated	15,979,290	16,105,921	12,003,091	10,017,991	[6]6,865,558
Handed over	16,052,336	15,848,064	11,917,262	9,397,663	[6]—
Spent	16,052,336	15,848,064	11,917,262	9,397,663	[6]—

	1997–98	1998–99	1999–2000	2000–01	2001–02[1]
New Deal for Communities Funding Phase Two[10]					
Bid for	[2]—	[2]—	[2]—	[2]—	[2]—
Allocated	[2]—	250,313	294,711	[2]—	[2]—
Handed over	[2]—	13,050	[11]531,974		[2]—
Spent	[2]—	13,050	[11]531,974		[2]—
New Deal For Communities Funding Phase Three[12]					
Bid for	[2]—	[2]—	56,200,000	[2]—	[2]—
Allocated	[2]—	[2]—	56,200,000	[2]—	[2]—
Handed over	[2]—	[2]—	[2]—	370,768	[6]—
Spent	[2]—	[2]—	[2]—	[6]—	[6]—
Neighbourhood Renewal Funding					
Bid for	[2]—	[2]—	[2]—	[2]—	[2]—
Allocated	[2]—	[2]—	[2]—	[2]—	3,956,000
Handed over	[2]—	[2]—	[2]—	[2]—	[6]—
Spent	[2]—	[2]—	[2]—	[2]—	[6]—
Capital Challenge (Supplementary Credit and Basic Credit Approvals)[13]					
Bid for	[2]—	[2]—	[2]—	[2]—	[2]—
Allocated	[2]—	[2]—	[2]—	[2]—	[2]—
Handed over	1,807,671	4,182,000	4,195,000	[2]—	[2]—
Spent	1,807,671	4,182,000	4,195,000	[2]—	[2]—
Estate Action					
Bid for	[3]—	[3]—	[2]—	[2]—	[2]—
Allocated	7,049,933	2,873,089	[2]—	[2]—	[2]—
Handed over	6,653,316	3,200,627	[2]—	[2]—	[2]—
Spent	6,653,316	3,200,627	[2]—	[2]—	[2]—

[1] Where known
[2] Not applicable
[3] Not available
[4] Spend figures are for the whole HRA account, including figures from rent rebates, and HRA revenue contributions to capital spending. Housing revenue account subsidy is just a contribution to the whole HRA account.
[5] Provisional figures
[6] Not known
[7] Estimated
[8] The figures are the most accurate currently available, but the LDA SRB database is currently in the process of verification.
[9] Projected
[10] Developmental phase for working up full bid for Phase Three.
[11] Over two years
[12] Actual bid made in 1999–2000 for £56.2 million over 10 years.
[13] Actual bid made in 1996–97 for £9,945,000 million over three years. Allocation of £10,188,000 made in 1996–97 over three years, spend commencing from 1997–98.

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions what the outstanding debt is on Southwark council housing; and what his estimate is of the cost of the outstanding necessary capital works to Southwark council housing. [157265]

Mr. Raynsford: The Housing Revenue Account (HRA) credit ceiling is an assessment of the amount of an authority's outstanding debt that is attributed to its own housing stock. The 2000–01 mid-year HRA credit ceiling for Southwark borough council as at 30 September was £732,105,357.

The Department of the Environment, Transport and the Regions (DETR) does not make estimates centrally of the outstanding necessary capital works to individual local authorities' housing stock. As part of the annual Housing Investment Programme local authorities are asked to provide estimates to the DETR of the amount they need to invest on capital works to their stock. Southwark council estimated that at April 2000, they needed to spend £220 million to bring their own housing stock (of almost 48,000 units) into a satisfactory condition.

London Underground

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many staff days have been lost *(a)* in the last 10 years and *(b)* in the past 12 months due to industrial action on London Underground. [157478]

Mr. Hill: Information on the number of staff days lost due to industrial action could be provided only at disproportionate cost.

However, information on the number of days when industrial action was taken which had at least a partial effect on service is available. In the last 12 months, industrial action took place on two days: 5 February 2001 and 29 March 2001.

The following numbers of days of industrial action occurred in the last 10 years.

Year	Days of industrial action
1991	1
1992	0
1993	1
1994	1
1995	3
1996	7
1997	0
1998	5
1999	2
2000	0

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many cases of graffiti have been reported on London Underground property in each of *(a)* the last 10 years and *(b)* the past 12 months; and how much money has been spent by London Underground in each of (i) the last 10 years and (ii) the past 12 months on removing graffiti. [157476]

Mr. Hill: This is an operational matter for London Underground (LUL) who have provided the following information in the table as recorded by the British Transport Police.

Year/month	Number of graffiti cases reported
1991	642
1992	421
1993	402
1994–95	366
1995–96	257
1996–97	216
1997–98	304
1998–99	206
1999–2000	156
2000–01	[1]122
Total	3,092
2000–01	
April	7
May	37
June	7
July	10
August	6
September	5
October	5
November	3
December	9
January	16
February	17
March	tba

[1] Excluding 1 March

London Underground informs me that they estimate that the costs of preventive measures and removal of graffiti have been around £10 million per annum. However it adds that this figure has probably reduced over recent years as a number of security projects have been completed.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many signals were passed at danger by trains on the London Underground in *(a)* each of the last 10 years and *(b)* each of the last 12 months. [157692]

Mr. Hill: This is an operational matter for London Underground. However, since December 1999 a report on signals passed at danger (SPADs) prepared by London Underground has been placed in the Libraries of both Houses each month. This was flagged in a reply to the hon. Member on 11 November 1999, *Official Report*, columns 687–88W. The report includes a table of SPADs by month since March 1993, prior to which the data were recorded in a different way that does not allow for meaningful comparison. The most recent version of this report covers the period up to January 2001.

The report also highlights that on the Underground, signals and the mechanical stops are (except in a few cases) set back to greater than braking distance from the danger that they protect. So very few SPADs result in actual danger of collision.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* station staff and *(b)* train drivers were employed by London Underground in each of (i) the last 10 years and (ii) the past 12 months. [157477]

Mr. Hill: The number of station staff and train drivers in each of the last 12 months is as follows:

2000–01	Station staff	Train drivers
April	5,726	2,896
May	5,721	2,892
June	5,760	2,886
July	5,773	2,869
August	5,776	2,887
September	5,786	2,895
October	5,777	2,902
November	5,781	2,929
December	5,810	2,925
January	5,771	2,928
February	5,814	2,942
March	5,850	2,933

The number of station staff and train drivers in each of the five years 1995–96 to 1999–2000 inclusive is as follows:

Year	Station staff	Train drivers
1995–96	4,568	2,216
1996–97	4,779	2,474
1997–98	4,815	2,621
1998–99	5,113	2,787
1999–2000	5,708	2,907
2000–01	5,850	2,933

Data prior to 1995–96 can be provided only at disproportionate cost.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the price was of *(a)* a zone one single fare on the London Underground and *(b)* a monthly zones one to six travelcard on the London Underground in January of each of the last 10 years. [157466]

Mr. Hill: Prior to July 2000, London Transport fares were the statutory responsibility of London Transport. Responsibility for fares policy for the Underground transferred to the Mayor for London in July 2000.

The fare prices for a zone one single fare on London Underground and for a monthly zones one to six travelcard (valid on buses, national rail and Docklands Light Railway as well as the Underground) for the last 10 years are:

£

	Zone 1 single	Monthly Z1–6 travelcard
2001	1.50	139.80
2000	1.50	136.00
1999	1.40	134.10
1998	1.30	130.60
1997	1.20	126.80
1996	1.10	124.50
1995	1.00	119.90
1994	0.90	113.30
1993	0.90	104.50
1992	0.80	91.40

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many arrests were made on the London Underground by British Transport Police in each of the last 10 years. [157475]

Mr. Hill: This is an operational matter for the British Transport Police who inform me that although it is not possible to provide arrest figures covering the last 10 years it is possible to supply crime analysis data as supplied to the Home Office. The table identifies the total number of offences reported over the last four financial years. It is not possible to provide information earlier than 1997, as the data are not kept in this format.

	Offences
1997–98	5,799
1998–99	12,949
1999–2000	18,220
2000–01	13,972

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many trains in use on the London Underground are *(a)* less than three years old, *(b)* between three and 10 years old, *(c)* between 10 and 15 years old and *(d)* more than 15 years old; and what the average age is of trains currently in use on the London Underground. [157474]

Mr. Hill: London Underground has provided the following information:

Age of rolling stock	Number of trains
Less than 3 years	165
3–10 years	90
10–15 years	0
More than 15 years	341.5

It should be noted that over half of the stock older than 10 years has undergone refurbishment in the last 10 years.

The average age of all trains is approximately 17.5 years.

London Airport Rail Links

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when he will take a decision on whether there should be a London airports rail franchise; when it is planned that London Heathrow airport will have direct rail connections to *(a)* Waterloo and *(b)* St. Pancras stations; and what the estimated cost is of the necessary work to complete these works. [157465]

Mr. Hill: The Strategic Rail Authority is currently investigating the possibility of a London airports franchise but an early decision as to whether or not to proceed is not expected. An airport service to St. Pancras will be dependent upon completion of CTRL Stage 2 and upon appropriate platform capacity being made available at the new St. Pancras station. A direct connection to Waterloo is a conceptual scheme currently being developed by BAA and Railtrack.

Railways (Upgrading)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce, with the Strategic Rail Authority, plans for improvements to the Great Western Main Line; when it is expected that upgraded signalling and junctions and new flyovers for the Great Western Main Line mentioned in the SRA's Strategic Agenda will be delivered; and what the cost of these upgrades will be. [157464]

Mr. Hill: The SRA's Strategic Agenda lists a range of schemes which it would be possible to pursue. No decisions have yet been taken as to the priorities attached to particular projects which are not yet in progress. The timscale for infrastructure upgrading on the Great Western main line is driven by principal resignalling works that must be completed by 2011. It is not yet possible to give specific costs.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the projected cost is of the Joint Venture for the East Coast Main Line upgrade; what the projected amount is of public and private investment needed for this project; what the estimated start and finish dates are for this project; and how soon after revised bids are received he intends to make an announcement, together with the Strategic Rail Authority, on the preferred bidder for the East Coast Main Line franchise. [157462]

Mr. Hill: The Strategic Rail Authority (SRA) is currently establishing a project development group to take forward the upgrade of the East Coast Main Line and to develop the project to a sufficiently advanced stage for its construction to be competitively tendered. It is not expected that the joint venture approach will alter significantly the overall costs or timing of the upgrade.

In view of the change to the structure of the upgrade, the SRA has asked shortlisted counterparties for a replacement Inter City East Coast franchise to review their original bids. The SRA currently expects to receive any changes to their proposals by 17 April. Once the SRA has received and considered these it will decide whether to proceed with a request to the Secretary of State for a direction to authorise early replacement of the franchise. Any such request will be given appropriate and timely consideration.

Correspondence

Mr. Winnick: To ask the Secretary of State for the Environment, Transport and the Regions when the hon. Member for Walsall, North will receive a reply to his letter of 26 February regarding a constituent, Ref. P/BH/005818/01. [157457]

Ms Beverley Hughes: Due to an administrative error in the ministerial correspondence unit, there was a delay in processing the original letter and enclosures.

I understand that my hon. Friend has now received a response from the unit explaining that as the issues raised cover a pending planning application, the correspondence has been transferred to the Planning Inspectorate and a direct reply will be sent by the Chief Executive of the Planning Inspectorate shortly.

Foot and Mouth

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the borough of Macclesfield is not included in the list of rural local authorities to which the emergency business rate relief scheme will be applied as a result of foot and mouth disease. [157496]

Mr. Meacher: The borough of Macclesfield is not an authority which meets the criteria of rurality used for the targeting of this scheme.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to review the list of rural local authorities to which the emergency rate relief scheme is applicable due to the outbreak of foot and mouth disease; and if he will make a statement. [157498]

Mr. Meacher: I will keep the operation of the scheme under review in the light of the representations made to me.

Witney-Oxford Railway

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the impact of the proposed reopening of the Witney to Oxford railway line. [157120]

Mr. Hill: Neither the Department nor the Strategic Rail Authority have made any such assessment.

FOREIGN AND COMMONWEALTH AFFAIRS

Diego Garcia

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make an estimate of the number of British subjects born in Diego Garcia who are still alive. [157504]

Mr. Battle: It is not practicable for HMG to make a realistic estimate of the number of such British Dependent Territories citizens as we do not know where they are nor do we have any means of knowing how many may have died over the past 30 years or so.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with the United States Government the numbers of *(a)* Filipinos, *(b)* Mauritians and *(c)* Ilois being employed by contractors on the Diego Garcia air-base; and what steps he is taking to rectify imbalances in the numbers of different nationalities employed. [157501]

Mr. Battle: Under our arrangements with the United States Government it is agreed that the United States authorities and their contractors will use workers recruited in Mauritius and the Seychelles to the maximum extent practicable. In recruiting workers there should be no discrimination between qualified Ilois workers and equally qualified other Mauritian workers.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Governor of Mauritius about the placement of anti-personnel mines in *(a)* Diego Garcia and *(b)* on 65 islands in the Chagos Archipelago designed to keep out Ilois people wishing to return to see ancestral graves. [157502]

Mr. Battle: There are no anti-personnel landmines on Diego Garcia or any of the other islands in the Chagos Archipelago.

I refer my hon. Friend to the answer given by my hon. Friend the Minister for Europe on 6 March 2000, *Official Report*, column 504W.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to include Diego Garcia in the feasibility study in exercise of his Department's obligations to balance the needs of those who were born in Diego Garcia with the interests of the British-American defence forces. [157500]

Mr. Battle: Access to Diego Garcia is restricted in accordance with our treaty obligations with the United States and hence Diego Garcia is not included in the scope of the feasibility studies being conducted.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to estimate the economic losses suffered by Diego Garcia as a result of the closure by the Government of the plantations in 1971; and what steps will be taken to restore economic activity, indicating *(a)* the estimated consumption of coconuts by the residents of Diego Garcia, *(b)* the appropriate price thereof and *(c)* what funds can be raised from this source to restore facilities on the islands for the benefit of residents. [157574]

Mr. Battle: The establishments of defence facilities necessarily entailed the closure of the commercial coconut plantations in Diego Garcia. There is no prospect of the resinstatement of these plantations in the forseeable future.

National Missile Defence

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's discussions with the United States on the potential use of the islands *(a)* in the Chagos Archipelago and *(b)* in Diego Garcia for facilities for the US National Missile Defence. [157503]

Mr. Battle: We have had no discussions with the United States regarding the potential use of the Chagos Archipelago, including Diego Garcia, for facilities for National Missile Defence.

Chagos Archipelago

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the consideration of facilitating a temporary visit by the Ilois to the Chagos Archipelago, following the granting of permission to return there. [157517]

Mr. Battle: The question of a temporary visit to the territory for the Ilois has been discussed with their representatives who have undertaken to put forward proposals for consideration.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to encourage British subjects born in the Chagos Archipelago to co-operate with the Americans on Diego Garcia to establish areas of common interest. [157499]

Mr. Battle: I understand that representatives of a group of Ilois are in contact with the United States Government.

Overseas Territories

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on proposals to grant British citizenship to citizens of overseas territories. [157637]

Mr. Battle: As announced to Parliament by the Secretary of State in March 1999, we are committed to introducing legislation to give British citizenship to all British Dependent Territories citizens in the Overseas Territories. We will make parliamentary time available to introduce this legislation as soon as is practicable. Preparatory work to agree the principles of such a Bill along with drafting Instructions for Parliamentary Counsel has been completed.

Cayman Islands

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the UK has made in support of lifting OECD blacklisting from the Cayman Islands prior to the review of the blacklist in June. [157638]

Mr. Battle: The UK takes seriously its duty to represent the Overseas Territories and Crown Dependencies internationally. We take equally seriously efforts by the Financial Action Task Force—of which we are a leading member—to combat money laundering. Over the last year, we have therefore sought at all times to ensure that the FATF's information about the Cayman Islands is accurate and complete and that the Cayman Islands are treated on exactly the same basis as all the other jurisdictions examined by the FATF. We have also helped and encouraged the Cayman Islands authorities to make the necessary changes to their system in order to meet international standards in this area. It would be inappropriate to seek special treatment for the Cayman Islands from the FATF, but we will continue to ensure that the Cayman Islands are treated fairly and objectively when decisions are made.

Kyoto Treaty

Mr. Denzil Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government plan to ratify the Kyoto treaty. [157140]

Mr. Battle: The UK aims to ratify the Kyoto Protocol in 2002, along with other EU member states.

Sierra Leone

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Head of News Department saw a copy of the Foreign Affairs Committee's Second report of Session 1998–99 on Sierra Leone before its publication. [156824]

Mr. Robin Cook *[holding answer 3 April 2001]:* I refer the hon. Member to the answer I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 16 March 2001, *Official Report*, column 775W, and to the evidence my officials gave to the Standards and Privileges Committee, whose report was published on 30 March 1999.

French Lamb Exports

Mr. Livsey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the French Government on the non-payment by French companies and individuals for lambs exported via Farmers Ferry to France in January and early February. [155942]

Ms Quin: I have been asked to reply.

Under the French legislation, published on 9 March, compensation will be paid to the exporter where sheep slaughtered by French authorities were still their property. The British Embassy in Paris has been actively pursuing the question of compensation, on behalf of some British sheep exporters, for sheep slaughtered in France. This has included passing documentary evidence of ownership of sheep to the French authorities. The British Embassy would be happy similarly to help other exporters.

CULTURE, MEDIA AND SPORT

Departmental Policies (London)

Ms Buck: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to London, the effects of his Department's policies and actions since 2 May 1997; and if he will make a statement. [152274]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational

potential of culture and sport, £40 million has been allocated to developing Creative Partnerships; we have established, through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a Taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have established the Greater London Authority and an elected Mayor for London. The Mayor now has responsibility for most aspects of culture in London and has appointed a Cultural Strategy Group to advise him and to draw up a cultural strategy for London.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including London.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

London

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 7,381 national lottery awards to the London Region totalling £1,069,301,551. This includes £50 million for Tate Modern, 76 awards from the Millennium Festival totalling £11,456,514 and £550,000 from the National Foundation for Youth Music for a Youth Music Action Zone which will work with young people across the whole of London.

1,935 Millennium Award Winners have been identified from London and between them have received grants totalling £5,845,057.

Under the Space for Sport and the Arts scheme, Lambeth, Newham, Southwark, Hackney, Islington, Barking & Dagenham, Brent, Greenwich, Lewisham and Tower Hamlets local education authorities have been allocated up to £16.75 million towards providing improved facilities for sport and arts in over 30 primary schools in London which can also be used by the wider community.

Significant additional resources were made available to museums and galleries in this country as a result of the Government's 1999–2002 Comprehensive Spending review. This additional funding has also allowed free admission for all but one of the DCMS sponsored museums in London from 1 April 1999 and, from 1 April 2000, free entry for the over 60s at most of them.

Additional funding will be offered to enable universal free access at nearly all of the DCMS sponsored museums and galleries from 1 December 2001.

The following London boroughs have a DCMS sponsored museum or gallery within its boundaries:

London borough of Camden

The British Museum

London borough of Greenwich

The National Maritime Museum

London borough of Hackney

The Geffrye Museum

London borough of Lewisham

The Horniman Museum

London borough of Southwark

The Design Museum

HMS Belfast

The Imperial War Museum

Tate Modern

London borough of Tower Hamlets

The Bethnal Green Museum of Childhood

City of London

The Museum of London

City of Westminster

Apsley House

The Cabinet War Rooms

The National Gallery

The National Portrait Gallery

Tate Britain

The Theatre Museum

The Wallace Collection

Royal borough of Kensington and Chelsea

The Natural History Museum

The Science Museum

The Victoria and Albert Museum.

The benefits of extended access and the services provided by DCMS sponsored museums are available to the residents of all London boroughs and beyond.

An additional part of the package of museum measures arising from the 1999–2002 Review was the introduction of the Designated Museums Challenge Fund (DMCF) to support some of the country's leading non-national museums.

DMCF allocations of £581,000 were announced by London museums July 1999; a further £1,511,000 in May 2000 and £1,470,000 in March 2001 supporting a variety of projects in the institutions concerned.

Information from English Heritage (EH) is:

53 grants to churches, totalling £1,775,000;

152 grants to historic buildings and monuments, totalling £3,243,000;

contributions to 42 Conservation Area Partnership/Heritage Economic Regeneration schemes, totalling £4,135,000;

79 local authority conservation officer posts funded, at a total cost of £1,742,000.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there are approximately 442,000 people aged 75 or over living in London.

London Arts received £26,765,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £29,886,048 or by 11.66 per cent.

Departmental Policies (Houghton and Washington, East)

Mr. Kemp: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the constituency, the effects on Houghton and Washington, East of his Department's actions since 2 May 1997. [152986]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport, £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public Internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Houghton and Washington, East.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Houghton and Washington, East

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 78 national lottery awards to Houghton and Washington, East, totalling £2,147,172. This includes an award from the Millennium Festival of £30,000.

Forty Millennium Award Winners have been identified from Houghton and Washington, East and between them they have received grants totalling £79,993.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 4,000 people aged 75 or over living in the Houghton and Washington, East constituency.

English Heritage have offered £48,874 for Freemason's Hall (Phoenix Lodge), Queen Street East, Sunderland; and £19,000 for St. Michael's & All Angels, Church Street, Houghton-Le-Spring.

There are of course other initiatives in the wider context of the region which may have an effect on the Houghton and Washington, East constituency. These are:

Northern Arts Board received £9,249,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £10,170,654 or by 9.96 per cent.

Sunderland Library authority is a partner in the Information North consortium which received £498,000 in 1998–99 for an ICT project.

Under the Space for Sport and Arts scheme Sunderland local education authority has been allocated up to £2.2 million and Gateshead local education authority up to £1.75 million, towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

All Northern constituencies will be influenced by the Youth Music Action Zone in Gateshead, who have been offered £350,878 for work across the whole region.

On 15 March Resource: The Council of Museums, Libraries and Archives announced a £470,000 Designated Museums Challenge Fund award for the joint Tyne & Wear Museums/Beamish. The North of England Open Air Museum project to create a new store to safely house large objects owned by the two partners. This follows previous allocations of £30,000 and £300,000 for this project in 1999 and 2000 respectively.

DCMS became the direct sponsors of Tyne & Wear Museums, succeeding the Museums and Galleries Commission, from 1 April 2000.

Departmental Policies (Jarrow)

Mr. Hepburn: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information, relating as directly as possible to the constituency, the effects on Jarrow of his Department's actions since 2 May 1997. [153565]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport, £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities ones are aimed at bringing benefits to all parts of the UK, including Jarrow.

In delivering these initiatives we aim to make cultural and sporting inclusive activities ones, boosting participation and improving the quality of life for all.

Jarrow

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 103 national lottery awards to Jarrow totalling £4,228,149. This includes three awards from the Millennium Festival totalling £130,000.

Twenty Millennium Award Winners have been identified from Jarrow and between them they have received grants totalling £43,060.

Under the Space for Sport and Arts SSA scheme, South Tyneside local education authority has been allocated up to £2.2 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

The constituency of Jarrow is within the area served by Tyne and Wear Museums. On 15 March Resource: The Council of Museums, Libraries and Archives announced a £470,000 Designated Museums Challenge Fund award for the joint Tyne and Wear Museums/Beamish The North of England Open Air Museum project to create a new store to safely house large objects owned by the two partners. This follows previous allocations of £30,000 and £300,000 for this project in 1999 and 2000 respectively.

DCMS became the direct sponsors of Tyne and Wear Museums, succeeding the Museums and Galleries Commission from 1 April 2000.

South Tyneside Library authority was a partner in the Information North consortium which received £498,000 in 1998–99 for an ICT project.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 4,700 people aged 75 or over living in the Jarrow constituency.

There are of course other initiatives in the wider context of the area which may have an effect on the Jarrow constituency. These are:

Northern Arts Board received £9,249,000 in 2001–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £10,170,654 or by 9.96 per cent.

The National Foundation for Youth Music has awarded £350,878 for a Youth Music Action Zone in Gateshead.

Departmental Policies (Truro and St. Austell)

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport if he will set out, including statistical information relating as directly as possible to the Truro and St. Austell constituency, the effects on Truro and St. Austell of his Department's policies and actions since 2 May 1997. [154533]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on the hon. Member's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport, £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper, "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear

in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Truro and St. Austell.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Truro and St. Austell

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 205 national lottery awards to Truro and St. Austell totalling £8,690,170.

Forty-six Millennium Award winners have been identified from Truro and St. Austell and between them have received grants totalling £157,092.

On 21 February, I announced the 16 areas in which it is hoped Creative Partnership pilots will be developed. Cornwall is one of these areas. The Arts Council of England, which is delivering the initiative, will be consulting schools and creative organisations in each location over the next few months to establish which bodies will be involved. Details on how schools and cultural organisations can take part in Creative Partnerships will be available from the Arts Council from early May. Funding for the initiative will come on stream in April 2002.

Under the Space for Sport and the Arts scheme, Cornwall local education authority has been allocated up to £3.1 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

School Sport Co-ordinators will be based in families of schools, in areas of greatest need, linked wherever possible through local education authorities to specialist sport colleges. They will provide opportunities for young people to compete regularly for their school and take part in a wide range of sports. By 2004, there will be about 250 families established, with 1,000 secondary schools and up to 6,000 primary schools benefiting directly from this programme. Truro and St. Austell was awarded £945,689 in the first round of awards. It has three Partnership Managers, 15 School Sports Co-ordinators and 68 Primary Link Teachers.

English Heritage have offered the following grants:

£

Site	*Grant offer*	*Payment made to date*
St. Mylors Church	4,956	0
St Just's Church	21,062	20,194
St. Sampson's Church	17,608	0
Caerhays Castle (two offers)	115,341	114,911
Cornwall Monument Management Scheme (three offers)	29,830	19,421

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 8,900 people aged 75 or over living in the Truro and St. Austell constituency.

There are of course other initiatives in the wider context of Cornwall and the south-west which may have an effect on the Truro and St. Austell constituency. These are:

South West Arts received £6,694,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £7,766,575 or by 16 per cent.

National Foundation for Youth Music has awarded £476,770 for a Youth Music Action Zone in Cornwall.

The Eden Project, a landmark Millennium project, which received £43,150,000 from the Millennium Commission.

Departmental Policies (Newbury and West Berkshire)

Mr. Rendel: To ask the Secretary of State for Culture, Media and Sport if he will set out, including statistical information relating as directly as possible to the Newbury constituency, the effects on Newbury and West Berkshire of his Department's policies and actions since 2 May 1997. [154569]

Mr. Chris Smith *[holding answer 20 March 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on the hon. Member's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Newbury.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Newbury

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 87 national lottery awards to Newbury, totalling £3,464,734.

Six Millennium Award Winners have been identified from Newbury and between them they have received grants totalling £11,980.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 5,900 people aged 75 or over living in the Newbury constituency.

There are of course other initiatives in the wider context of the region which may have an effect on the Newbury constituency. These are:

Awards have been made to the Rural History Centre (Museum of English Rural Life), University of Reading.

Southern Arts received £8,026,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £9,182,875 or by 14.4 per cent.

Departmental Policies (Lancaster and Wyre)

Mr. Dawson: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the Lancaster and Wyre constituency, the effect on Lancaster and Wyre of his Department's policies and actions since 2 May 1997. [154687]

Mr. Chris Smith *[holding answer 21 March 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over-60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

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Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Lancaster and Wyre.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Lancaster and Wyre

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 99 national lottery awards to Lancaster and Wyre, totalling £8,858,790.

Nineteen Millennium Award Winners have been identified from Lancaster and Wyre and between them they have received grants totalling £55,572.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 8,000 people aged 75 or over living in the Lancaster and Wyre constituency.

English Heritage input	*Offered £*	*Comment*
Victoria Pavilion, Lancaster	5,000	None paid as yet
Leighton Hall, Lancaster	1,145	All paid
Leighton Hall, Lancaster	14,957	Paid £10,826
St. Wilfred's Melling, Lancaster	34,700	All paid
Cockersand Abbey, Lancaster	420	All paid
Twetfield	323	All paid
Lancaster City Conservation Area Partnership Scheme	100,000	

There are of course other initiatives in the wider context of the region which may have an effect on the Lancaster and Wyre constituency. These are:

Under the Space for Sport and Arts scheme Lancashire local education authority has been allocated up to £1.75 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

North West Arts Board received £14,061,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–2002 this will increase to £15,491,266 or by 10.17 per cent.

More Music in Morecambe has worked with many school choirs. For Singing Challenge 1 there will be four open sessions as part of the local West End Festival to encourage new singers to participate. For Singing Challenge 2 there will be a set of linked local projects comprising workshops in the summer and autumn months.

North Lancashire Youth Music Action Zone: £145,000. More Music in Morecambe is running the Action Zone working across the north-west. The Zone will provide a range of music opportunities to young people throughout the north-west these include a range of music activities exclusively for under-18s, a singing project for under-5s and an expansion of More Music in Morecambe's national training programme for musicians.

Departmental Policies (North Devon)

Mr. Harvey: To ask the Secretary of State for Culture, Media and Sport if he will set out, including statistical information relating as directly as possible to the North Devon constituency, the effects on North Devon of his Department's policies and actions since 2 May 1997. [155901]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on the hon. Member's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60's and additional money will be provided to allow this to be

extended to everyone in December 2001. We have commissioned a Taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public Internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

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In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

North Devon

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 206 national lottery awards to North Devon totalling £4,867,877. This includes £20,000 from the Millennium Festival for a Millennium Celebrations Schools Pageant.

Twenty seven Millennium Award Winners have been identified from North Devon and between them they have received grants totalling £94,839.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 8,300 people aged 75 or over living in the North Devon constituency.

Information from English Heritage (EH):

Nine grants have been offered totalling £221,079

Conservation Area Partnership Scheme

Ilfracombe 1997–98 offered £50,000

There are of course other initiatives in the wider context of the area which may have an effect on the North Devon constituency. These are:

Devon Library authority, which includes the North Devon constituency, received an award of £113,647 from the DCMS/Wolfson Fund in 1997–98

South West Arts received £6,694,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £7,766,575 or by 16 per cent.

Departmental Policies (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport if he will set out, including statistical information relating as directly as possible to the Hazel Grove constituency, the effects on Hazel Grove of his Department's policies and actions since 2 May 1997. [156175]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on the hon. Member's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

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My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Hazel Grove.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Hazel Grove

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 39 national lottery awards to Hazel Grove totalling £2,440,915.

Seven Millennium Award Winners have been identified from Hazel Grove and between them they have received grants totalling £46,104.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 6,100 people aged 75 or over living in the Hazel Grove constituency.

There are of course other initiatives in the wider area which may have an effect on the Hazel Grove constituency. These are:

£20,090,000 for the Manchester Millennium Quarter Project nearby.

North West Arts Board received £14,061,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £15,491,266 or by 10.17 per cent.

Departmental Policies (Luton, South)

Ms Moran: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Luton, South constituency of his Department's policies and actions since 2 May 1997. [156164]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over-60's and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public Internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high-quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made it clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Luton, South.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Luton, South

According to the information supplied by the distributing bodies for the national lottery awards database, there have been 56 national lottery awards to Luton, South, totalling £4,896,824.

Twenty Eight Millennium Award Winners have been identified from Luton, South and between them they have received grants totalling £39,779.

Under the Space for Sport and Arts scheme, Luton local education authority has been allocated up to £1.75 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community. Farley, Foxdell and St. Matthew's junior schools in the hon. Member's constituency have been chosen to develop schemes under the SSA.

English Heritage (EH) have awarded the following grants since 2 May 1997:

Heritage Economic Regeneration Scheme

Luton (Plaiter's Lea and High Town): 1999–2000—£100,000 offered. 2000–01—£100,000 offered.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 5,000 people aged 75 or over living in the Luton, South constituency.

East England Arts received £6,202,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £7,116,585 or by 14.74 per cent.

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156244]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrows Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

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Great Grimsby

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 76 national lottery awards to Great Grimsby, totalling £2,640,333. This includes one grant from the Millennium Festival totalling £50,000.

Five Millennium Award Winners have been identified from Great Grimsby and between them they have received grants totalling £36,114.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 6,100 people aged 75 or over living in the Great Grimsby constituency.

There are of course other initiatives in the wider context of the area which may have an effect on the Great Grimsby constituency. These are:

£18,746,000 for the Deep Millennium Project nearby.

Yorkshire Arts received £9,288,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £10,315,832 or by 11 per cent.

Foot and Mouth (Tourism)

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with *(a)* the British Tourist Authority and *(b)* other tourist bodies regarding the impact of foot and mouth disease on the tourist trade. [157027]

Janet Anderson: Close contact is being maintained with the British Tourist Authority on the impact of foot and mouth disease on the tourism trade. In addition, we have been in frequent contact with tourism industry representatives both at formal meetings and through visits around the country; for example, on 5 April 2001 my right hon. Friend the Secretary of State hosted a summit meeting of industry representatives to discuss foot and mouth.

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact of foot and mouth disease on non-rural tourism in Britain. [157030]

Janet Anderson: We are making inquiries of a range of tourism-related bodies to determine the impact of foot and mouth disease on both rural and non-rural tourism businesses. This research is at an early stage but it would seem that while the responses are very variable, it is clear that many businesses have been affected.

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what discussions his Department has had with official veterinary agencies of foreign Governments on the giving of advice on travel to the United Kingdom. [157029]

Janet Anderson: My Department has not had discussions with any official veterinary agencies of foreign Governments.

The Foreign and Commonwealth Office, through its posts overseas, and the Ministry of Agriculture, Fisheries and Food have been in close contact with veterinary authorities, agriculture ministries and other parts of government worldwide to reassure them that, provided individuals observe the standard guidance on travel to the countryside, there is no reason why visitors should not travel to the UK.

Lindisfarne Gospels

Mr. Beith: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the British Museum about exhibiting the Lindisfarne Gospels in the north of England: and if he will seek the inclusion of Holy Island in any future programme to exhibit the Gospels outside London. [156969]

Mr. Alan Howarth: The Lindisfarne Gospels are a national treasure. They are the property of the British Library under the British Library Act 1972. We appreciate the particular importance of the Gospels to the people of the North-East where they have been exhibited recently. My right hon. Friend the Secretary of State recently met a delegation, led by the Bishop of Durham. Following that meeting, my right hon. Friend has written to the Chairman of the British Library inviting them to discuss with the delegation the feasibility of exhibiting the Gospels in the North-East on a more regular basis. No doubt the question of an exhibition of the Gospels on Holy Island could form part of such a discussion.

Music Librarians

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what measures he is taking to encourage the recruitment and retention of music librarians by public libraries; and if he will make a statement. [157562]

Mr. Chris Smith: My responsibility under the Public Libraries and Museums Act 1964 is to ensure that library authorities in England meet their statutory duty to provide

a "comprehensive and efficient" public library service. The day-to-day management of library services, however, is for library authorities, who must make their own decisions about the detailed nature of the library service they provide, based on local resources and priorities. This includes such matters as the numbers, grading and qualifications of staff, and where they are employed within the library service.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many local authorities employ full-time music librarians; and how many did so in 1996–97. [157563]

Mr. Chris Smith: This information is not collected centrally. The CIPFA Public Library Statistics, which are available in the Library of the House, provide information on the numbers of professional, other non-manual and manual posts in public libraries but do not identify the numbers of posts in the various libraries and departments of any library authority.

Concessionary Television Licences

Mr. Quinn: To ask the Secretary of State for Culture, Media and Sport what plans he has to amend the regulations governing the Accommodation for Residential Care concessionary television licence scheme to prevent residents losing their entitlement to the concession following changes introduced by their housing managers. [157854]

Mr. Chris Smith: A number of hon. Members have expressed concern about residents in sheltered accommodation losing their entitlement to the £5 Accommodation for Residential Care television licence fee concession, as the result of changes to the way their accommodation is provided or managed. The Government share these concerns. We propose to introduce measures to preserve the rights of beneficiaries of the concessionary scheme who remain in a sheltered housing complex or residential home provided or managed by a local authority, a housing association or a development corporation, when the social mix or the level of warden cover change. We are consulting with the BBC on the formulation of the necessary amendments to the regulations governing the concessionary scheme.

UK Standards Authority for Sport

Dr. Gibson: To ask the Secretary of State for Culture, Media and Sport what progress has been made on the establishment of the UK Standards Authority for Sport; and what the membership is of the authority. [156487]

Kate Hoey: Over recent months, I have been in discussion with sporting and medical experts over whether there is a need for a UK Standards Authority for Sport and Exercise Medicine which could ensure that adequate standards are in place to minimise the risk of injury or illness through sport.

In order to consider current provision, and whether such an authority should be established, I have convened a working group who will meet over the next few months to explore the key issues involved. The working group will then make recommendations to me on whether there is a need for a UK Standards Authority for Sport and Exercise Medicine, and if so what its role and remit might be, and how it might be established.

Under the chairmanship of Sir Oliver Popplewell, the group met for the first time on 27 March and have now begun a process of consultation with experts from a range of medical and sporting backgrounds.

The other members of the working group are David Oxley, OBE, Chairman of the Central Council for Physical Recreation; Peter Hamlyn, consultant neurosurgeon; Professor Donald Macleod, Vice President of the Royal College of Surgeons; Dr. Stephanie Cook, MBE, modern pentathlon gold medal winner at Sydney 2000; Dr. Nick Webborn, Medical Adviser for the National Sport Medicine Institute; and Karen Hambly, Sports Medicine Co-ordinator for the UK Sports Institute.

INTERNATIONAL DEVELOPMENT

India

Mr. Laurence Robertson: To ask the Secretary of State for International Development if she will make a statement about the *(a)* medical supplies and *(b)* other help the UK sent to India following the recent earthquake there. [157411]

Clare Short: During my statement in the House on Monday 29 January I announced an overall allocation of up to £10 million to support the emergency relief effort in Gujarat without reducing spending in other parts of India. To date nearly £9 million of the total allocation has been spent.

We provided immediate support to the Search and Rescue effort with a UK team of 69 personnel as well as supporting the Russian Ministry of Emergencies to deploy a team of 75 with an airmobile hospital. In addition we transported numerous relief items to the region (on behalf of agencies such as the Red Cross and Save the Children Fund) including medical supplies, tents and plastic sheeting. We have also channelled funds through a number of agencies for the provision of essential relief items such as tents, blankets, medical supplies, food, water and sanitation. We also established an Emergency Field Office in Gujarat to monitor DFID funded projects and ensure effective targeting of relief assistance.

TREASURY

Homosexual Couples

Dr. Tonge: To ask the Chancellor of the Exchequer what plans he has to treat inheritance tax for homosexual couples in the same way as for heterosexuals. [157486]

Dawn Primarolo: The inheritance tax rules make no special provision for couples, whatever their sexual orientation. Spouse relief is available for transfers between partners in a marriage; we have no plans to alter the scope of this relief.

Office of Government Commerce

Mr. Ian Stewart: To ask the Chancellor of the Exchequer what targets have been set for the OGCbuying.solutions trading fund for 2001–02. [158058]

Mr. Andrew Smith: I am pleased to announce that the new Office of Government Commerce trading fund, OGCbuying.solutions, came into being on 3 April 2001. The new trading fund is based on The Buying Agency, but includes certain managed services provided in the past by the Central Computer and Telecommunications Agency. I announced the creation of OGCbuying.solutions in a written answer on 19 December 2000, *Official Report*, column 162W.

I have set the following challenging targets for the trading fund for 2001–02.

OGCbuying.solutions: Targets for 2001–02

1. By comparison over a representative basket of goods and services bought regularly by central Government, the Agency will demonstrate that it offers on average a 5 per cent. price advantage, on a like for like basis, to users of its contracts.
2. The Agency will put in place tools to measure and an action plan to improve the match between its range of contracts and the needs of central civil Government.
3. The Agency will increase the proportion of its business done with central civil Government by 10 per cent. by 31 March.
4. The Agency will ensure 90 per cent. of the goods and services offered through its catalogues are available for electronic ordering by customers. Furthermore the Agency will put in place an incentivisation scheme aimed at increasing dramatically the take-up of e-commerce by its customers.
5. The Agency will achieve levels of customer satisfaction above 90 per cent. as measured by regular customer feedback.
6. The Agency will generate 8 per cent. Return On Capital Employed (ROCE).
7. To explore options for collaborative PPP arrangements to implement an e-commerce system to enhance the service to customers.

A copy of the new framework document for OGCbuying.solutions has been placed in the Libraries of both Houses. A copy of their business plan for 2001 can be found on their website: http://ogcbuyingsolutions.gov.uk.

Valuation Office Agency

Barbara Follett: To ask the Chancellor of the Exchequer what targets for the Valuation Office Agency will be set for the year 2001–02. [158060]

Dawn Primarolo: I have set the following key targets for the Valuation Office Agency.

Operational

To clear by 31 March 2002 90 per cent. of 1995 list rating appeals and 45 per cent. of the 2000 rating appeals outstanding on 30 September 2000.

To clear by 31 March 2002 council tax appeals equal to the number received in the 12 months to 31 December 2001 up to a maximum of 42,000 in England and 3,700 in Wales.

To generate income of at least £13.5 million from "land services".

To clear by 31 March 2002 no fewer than the number of cases received from Inland Revenue in the 12 months to 31 December 2001 up to a maximum of 49,000 within the agreed performance timetable set out in the Agency's Forward Plan.

Customer service and quality

To achieve specified standards for valuation accuracy and timeliness in 90 per cent. of cases.

To secure Charter Mark awards for 50 per cent. of our Groups by 31 March 2002.

Finance and efficiency

To recover full resource costs, including a return on capital of 6 per cent., from fees and charges.

To achieve an increase in the VOA's efficiency index to 1.175 (1998–99 = 1.00).

Further details are contained in the Valuation Office's Forward Plan, copies of which will be placed in the Library of the House on publication.

UK Debt Management Office

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will publish the UK Debt Management Office's targets and business plan for 2001–02. [158059]

Miss Melanie Johnson: The DMO's targets for 2001–02 are as set out. The range of targets has been extended somewhat since 2000–01 to reflect the development of the DMO's responsibilities. The DMO is today also publishing its Business Plan for 2001–02. Copies have been placed in the Libraries of both Houses.

Targets for the Debt Management Office 2001–02

To ensure full compliance with the Government's remit for the DMO as set out in the Debt and Reserves Management Report 2001–02, within the tolerances and subject to the review triggers notified separately to the Office and consistent with the objectives of monetary policy.

To ensure that the maximum time taken to issue the results of gilt auctions does not exceed 40 minutes, that for structured Treasury Bill tenders does not exceed 30 minutes, and that for ad hoc Treasury Bill or other tenders does not exceed 15 minutes, while achieving complete accuracy.

To achieve complete accuracy, within agreed accounting tolerances, in the recording and reporting or transactions through the Department Management Account (DMA), and in delivering money (and reconciling payments) to the National Loans Fund (NLF).

To acknowledge all letters and e-mail inquiries from the public within five working days and for at least 95 per cent. to be sent a substantive reply within two weeks.

To achieve less than eight breaches of the operational market notices (excluding any breaches that the Treasury accept were beyond control of the Office).

To ensure that the qualifications that the National Audit Office (NAO) have made in respect of the accounts of the Gilt-edged Official Operations Account are satisfactorily addressed in the running and presentation of the DMA; and that the 1999–2001 DMA accounts are presented to the NAO by the statutory deadline.

To ensure that the statutory constraint on DMO market borrowing (not to exceed its deposits with the NLF and Bank of England) is always met.

To ensure that, where there is a late change in the forecast, any necessary use of end-of-day borrowing or lending facilities is notified by the due time.

To ensure that instructions to counterparties, agents and external systems are complete, accurate and timely, and that monitoring of the progress of transactions through to settlement is effective, so that DMO achieves at least 99 per cent. (by value) successful settlement of agreed trades on the due date.

To achieve 100 per cent. accuracy in material published on the DMO website (in so far as the material is under the control of the DMO and not third parties).

Tax Credits (Fraud)

Mr. Willetts: To ask the Chancellor of the Exchequer how many people have been *(a)* subjected to a financial penalty and *(b)* prosecuted because of a fraudulent claim for the Working Families Tax Credit. [157081]

Mrs. Lait: To ask the Chancellor of the Exchequer how many prosecutions for fraud in claiming Working Families Tax Credit and Child Tax Credit have taken place; and how many are pending. [157137]

Dawn Primarolo: To date, there have been 16 prosecutions in respect of Working Families Tax Credit, two of which have been concluded through the courts. Approximately 300 financial penalties have been levied.

NORTHERN IRELAND

Johnny Adair

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the result was of his inquiry into an attempt to poison Mr. Johnny Adair in Maghaberry Prison; and what actions have been taken as a result. [156154]

Mr. Ingram: Following receipt of information from the Forensic Science Agency on 6 March 2001 that the sample of Mr. Adair's protein supplement powder, sent away for analysis, was contaminated, Mr. Adair and the RUC were notified immediately. Due to the potentially serious nature of the incident the RUC was then requested to carry out an investigation, which is still on-going.

It would be inappropriate to comment on the circumstances surrounding the incident at this stage.

TRADE AND INDUSTRY

General Mediterranean Holdings Ltd.

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will provide details of the *(a)* grants and *(b)* export credits awarded to (i) General Mediterranean Holdings Ltd. and (ii) its associate companies. [156884]

Mr. Caborn *[holding answer 4 April 2001]:* ECGD has no record of any dealings with this company or any other of its listed subsidiaries.

Selective Assistance (Blyth Valley)

Mr. Ronnie Campbell: To ask the Secretary of State for Trade and Industry what selective assistance grants he has provided to Blyth Valley since May 1997. [157294]

Mr. Caborn: The two main forms of selective assistance available to business in Blyth Valley are Regional Selective Assistance (RSA) and the new Enterprise Grant (EG) launched in January 2000. Details of take up in Blyth Valley are given in the tables.

	Applications	*Grant (£)*	*Capital expenditure (£)*	*Jobs*
1997–98				
RSA	6	2,220,000	12,012,300	678
1998–99				
RSA	14	2,739,000	16,042,700	387
1999–2000				
RSA	11	1,960,000	16,452,000	374
2000–01				
RSA	0	0	0	0
EG	3	41,150	275,400	19

Supermarkets

Mr. Donaldson: To ask the Secretary of State for Trade and Industry what progress he has made towards publishing a code of practice for supermarket chains to regulate their dealings with suppliers in the farming sector. [157578]

Dr. Howells: The Office of Fair Trading is currently consulting with supermarkets and the representatives of suppliers and farmers on a draft Code of Practice. The Director General will advise my right hon. Friend, the Secretary of State for Trade and Industry on the terms of the Code of Practice on the completion of this consultation.

Departmental Policies (Manchester, Gorton)

Mr. Kaufman: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the constituency, the effects on the Manchester, Gorton constituency of his Department's policies and actions since 20 November 2000. [154495]

Mr. Caborn: My right hon. Friend the Secretary of State for Trade and Industry, answered my right hon. Friend's similar question on 20 November 2000, *Official Report,* column 70W, explaining that the DTI does not maintain such statistical information.

My right hon. Friend may wish to be aware that in the north-west region the DTI's policies have contributed to growth in employment by 107,000 and a fall in unemployment by 63,000; reductions in youth unemployment by 75 per cent. and long-term unemployment by 54 per cent. since 2 May 1997.

Miners' Compensation

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what representations *(a)* he has made to Healthcall Ltd. and *(b)* he has received from other organisations, concerning the fee paid to consultants by Healthcall Ltd. for the medical assessment of ex-miners. [157581]

Mr. Hain: Following discussions with the solicitors representing the miners, and in light of the need to attract more Respiratory Specialists to undertake medical assessments, the Department asked the Medical Reference Panel (MRP), the panel of respiratory specialists that advises the Department and claimants' solicitors on the Coal Health Compensation Scheme, to advise on appropriate rates for the work done. They proposed a rate based on the British Medical Association (BMA) scales. Healthcall has revised its rates accordingly. The rate for centre-based assessments has been increased significantly.

Rates for domiciliary visits and deceased assessments were already in line with the proposed new rates and have not changed. The revised rate, which has been agreed by the MRP, will be effective from 1 April, and will be reviewed in three months' time. Healthcall is also investigating how doctors can be used more flexibly to get greater volumes of MAPs completed.

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what the waiting list is for ex-miners awaiting first appointments for their assessment for compensation in each assessment centre in Wales; and what was the corresponding figure on 30 October 2000. [155641]

Mr. Hain *[holding answer 27 March 2001]:* The number of claimants awaiting their first assessment appointment to be made on 28 February 2001 was as follows:

	Test centre					
28 February 2001	*Newport*	*Cardiff*	*Swansea*	*Mountain Ash*	*Wrexham*	*Ammanford*[1]
Claimants mailed	5,425	316	4,698	5,127	570	—
Claimants to be mailed	35	33	223	633	11	121
Total appointments made	4,776	221	4,138	4,645	463	—
No reply to Healthcall appointment letter	273	22	251	280	9	—
Claimants awaiting appointment/to be tested[2]	684	128	783	1,115	118	121

[1] Ammanford did not open until 1 March 2001.
[2] Claimants awaiting appointments = (claimants mailed – total appointments made) + claimants to be mailed.
Note:
New claims are currently still being received at over 1,000 per week. For week commencing 5 March 2001, 1,600 new claims were received.

Figures on the numbers of claimants waiting to be mailed are calculated only at the end of each month in a continuously updated format and not stored. Therefore the number of claimants waiting to be mailed on 30 October 2000 is not available. Of those claimants that had been mailed by 30 October 2000, the following numbers were awaiting their first assessment appointment to be made:

	Test centre				
30 October 2000	*Newport*	*Cardiff*	*Swansea*	*Mountain Ash*	*Wrexham*
Claimants mailed	5,399	305	4,508	4,806	479
Claimants to be mailed	—	—	—	—	—
Total appointments made	4,724	214	3,872	4,083	348
No reply to Healthcall appointment letter	255	28	370	521	121
Claimants awaiting appointment/to be tested[1]	675	91	636	723	131

[1] Claimants awaiting appointments = claimants mailed – total appointments made.

Mr. Todd: To ask the Secretary of State for Trade and Industry what assessment he has made of the performance of the contractor managing British Coal's employment records in relation to mineworkers' compensation claims. [156224]

Mr. Hain: The Department continually monitors the performance of Ha[illegible] Information Management, the company contracted [illegible] provide copies of miners' employment records.

Getting copies of employment records has proved difficult because British Coal records are stored on very antiquated microfiche and in paper systems. The volumes of records returned have been less than planned and the Department therefore embarked on two major projects to scan the earnings records from microfiche into a database and to scan the whole of the employment records pack.

Unfortunately, there have been problems with scanning but these have now been addressed and the volume of records scanned is rising. Hays will provide an increased level of photocopied records until scanned records hit their required targets.

Post Office Counters (Tribunals)

Mr. Page: To ask the Secretary of State for Trade and Industry how many employment tribunals involving Post Office Counters are awaiting hearing; how many employment tribunal cases are unresolved in the Manchester area; and what steps he is taking to resolve these cases. [157004]

Mr. Alan Johnson *[holding answer 5 April 2001]:* I understand that there are currently 18 employment tribunal cases involving Post Office Counters Ltd. that are awaiting hearing. These concern either Post Office Counters Ltd.'s directly employed staff or subpostmasters and other agents. Post Office Counters Ltd.'s legal agents in Manchester are currently dealing with six cases in the North West. A further employment tribunal case in the Manchester area has gone to appeal. Legal decisions on how the law applies in particular circumstances are for the tribunals and courts.

Mr. Page: To ask the Secretary of State for Trade and Industry what the legal costs were for 2000 to Post Office Counters in representation at employment tribunals. [157005]

Mr. Alan Johnson *[holding answer 5 April 2001]:* Details of the legal costs of Post Office Counters Ltd. are commercially confidential, under Exemption 13 of the Code of Practice on Access to Public Information.

Fish Genetics

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if he will list the research programmes into fish genetics that his Department has been involved with in the last 10 years. [157274]

Mr. Alan Johnson: The Department is supporting the FISHSENSE project in the LINK Cell Engineering programme. The aim of this project is to develop a bioassay for environmental toxicity testing using cell lines from the bluegill sunfish which have been successfully

transfected with the luciferase gene from the firefly. These transfected cells are used to assay for the presence of various toxicants by measuring the light produced by the luminescent luciferase protein.

In addition, I understand that the Research Councils, supported by this Department, have been and are funding a number of relevant projects.

Britain-Israel Trade Missions

Mr. Stephen Twigg: To ask the Secretary of State for Trade and Industry how many Britain/Israel trade missions have taken place in each of the last six years. [R] [156893]

Mr. Caborn: The table summarises the supported trade missions from the UK to Israel that have taken place in each of the last six years.

Year	*Number of missions*
1995	6
1996	8
1997	8
1998	8
1999	11
2000	7

Note:
There have also been other trade missions that were not supported by my Department.

Advantage West Midlands

Ms Walley: To ask the Secretary of State for Trade and Industry what funding for April 2001 to March 2002 is unallocated by Advantage West Midlands; and if he will make a statement on the single regeneration budget. [157115]

Mr. Caborn: The information requested is as follows:

Funding during the 2001–02 financial year

Advantage West Midlands' total programme budget for the 2001–02 financial year is £148,135,000 gross. In addition, in its Corporate Plan it has identified £10,823,000 committed expenditure from the last financial year which will be transferred into the 2001–02 financial year. The Corporate Plan identifies £143,665,000 expenditure already committed and sets out the Agency's plans for using the uncommitted funding in support of the Regional Strategy.

Single Regeneration Budget

In the Spending Review 2000, RDAs were given considerable additional funding and flexibilities to deliver their regional strategies, whose primary purpose is to enhance the region's competitiveness through sustainable economic development, regeneration and business growth. A key flexibility is the introduction of a single budget from April 2002, which will subsume all current RDA funding streams. There will not, therefore, be a national SRB bidding round for new schemes in 2001–02.

Those RDAs with sufficient resources, after commitments from earlier SRB rounds are taken into account, have been invited to put forward proposals for using funds from their SRB expenditure line in their Corporate Plans for 2001–02. Each RDA will be able to decide on its own approach, which will contribute to the development of the RDAs' regional strategies.

RDAs will be expected to meet their commitments to schemes from SRB Rounds 1–6 from their single budget.

Motor Vehicle Repairs

Mr. Stevenson: To ask the Secretary of State for Trade and Industry what regulations govern the use of non-original equipment parts in motor vehicle body repairs. [157124]

Mr. Hill: I have been asked to reply.

None. However some other vehicle parts, such as tyres, brake linings and lamps have to meet minimum European safety standards. These standards are applied equally to both original equipment parts and non-original equipment parts.

CHURCH COMMISSIONERS

Foot and Mouth

Mr. Martlew: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if the Commissioners will suspend rent payments on those farms which they own on which cases of foot and mouth disease have been confirmed. [157147]

Mr. Stuart Bell: The Commissioners fully recognise the seriousness of the foot and mouth crisis, not least in Cumbria where they have a number of confirmed cases and much of their land is subject to exclusion orders.

Any request to help in case of hardship will be considered on its merits. Tenants who have had cases of foot and mouth confirmed among their livestock, as well as those who are subject to consequential losses, will be given sympathetic consideration in accordance with the Church Commissioners' long standing policy.

SCOTLAND

Single European Currency

Mr. Grieve: To ask the Secretary of State for Scotland what recent representations she has made to the Chancellor of the Exchequer regarding the impact of a single European currency on the Scottish economy. [145642]

Mrs. Liddell: I have regular discussions with my right hon. Friend on a wide range of issues. The determining factor underpinning any Government decision to join the single currency is whether the economic case is clear and unambiguous. The Government have said that they will make another assessment of the five economic tests early in the next Parliament.

Drug Deaths

Mr. Grieve: To ask the Secretary of State for Scotland what action her Department is taking in relation to the increase in the number of drug deaths in Scotland. [145643]

Mrs. Liddell: The Government work in partnership with the Scottish Executive to combat the menace of drugs in Scotland.

Reduction of drug-related deaths is a key objective of the Scottish Executive's drug strategy "Tackling Drugs in Scotland: Action in Partnership" which was published in March 1999.

Winter Deaths

Mr. Grieve: To ask the Secretary of State for Scotland if she will make a statement on the *(a)* number of and *(b)* trends in excess winter deaths in Scotland since May 1997. [145663]

Mrs. Liddell: The collection of statistics on excess winter deaths in Scotland is a devolved matter.

Fuel poverty contributes to the number of excess winter deaths among pensioners. The UK Government and the Scottish Executive have been working together to tackle fuel poverty and the Government and the devolved Administrations recently published a UK Fuel Poverty Strategy. The Government have taken direct action to help older households with their fuel bills by increasing the Winter Fuel Allowance to £200. The Allowance is paid to over 700,000 eligible households in Scotland. We have also taken other action, such as reducing the level of VAT on domestic fuel to 5 per cent.

Govan Shipyard

Mr. Sarwar: To ask the Secretary of State for Scotland if she will make a statement on the employment impact of recent orders won by Govan shipyard. [145941]

Mrs. Liddell: Subject to agreement on satisfactory terms and conditions, the Ministry of Defence intends to place orders for two Alternative Landing Ships Logistics with BAE Systems at Govan. I understand that the yard has also secured other commercial and defence contracts. These orders further help the position of the yard until potential work on the First of Class for the Type 45 Destroyers materialises. Management and unions at the yard recognise the need to secure further short-term work.

Special Advisers

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many special advisers have been employed by the Scotland Office in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, and *(d)* 2000–01; and what the total costs were. [150060]

Mrs. Liddell *[holding answer 12 February 2001]:* In the Scottish Office in 1997–98 there were two special advisers and during 1998–99 there were three special advisers in post at any given time. The costs for each year were: 1997–98 £166,933; 1998–99 £295,676.

The Scotland Office was established in its present form on 1 July 1999. In 1999–2000 and 2000–01, there were three special advisers in post at any one time, one of whom was unpaid. The costs for 1999–2000 were £76,367 and the costs in 2000–01 (to end of March) are £92,379.

GM Trials

Mr. Charles Kennedy: To ask the Secretary of State for Scotland (1) what safety tests genetically modified crops being grown on UK farm scale trials have been subjected to in order to establish their safety for *(a)* human consumption and *(b)* use as animal fodder; if he will provide details of these tests, including studies of toxicity; and if she will make a statement; [156770]

(2) what monitoring of herbicide use is included in the on-going genetically modified farm scale trials; if such monitoring includes studies of *(a)* run off, *(b)* leaching, *(c)* groundwater, *(d)* the effect on the marine environment and *(e)* the impact on weeds and wild plants adjacent to the trial crop; and if she will make a statement. [156767]

Mrs. Liddell: In Scotland, these matters are devolved.

CABINET OFFICE

Anti-drugs Strategy

Mr. Hendrick: To ask the Minister for the Cabinet Office if she will make a statement on funding being made available to support young people as part of the anti-drugs strategy. [157947]

Marjorie Mowlam: In addition to the £220 million announced by my right hon. Friend the Chancellor of the Exchequer in the Budget, new funding of £5 million will also be made available to expand and develop the "Positive Futures" initiative. "Positive Futures" is a partnership between the UK Anti-Drugs Co-ordination Unit, the Youth Justice Board and Sport England designed to divert youngsters away from drug misuse and crime through the provision of sporting and educational programmes.

Duchy of Lancaster

Mr. Hoyle: To ask the Minister for the Cabinet Office if she will list the assets of the Duchy of Lancaster in the county of Yorkshire and the income they generated in each of the last three years. [157703]

Marjorie Mowlam: The Duchy of Lancaster's Yorkshire Survey consists of 7,012 hectares including 4,221 hectares of Goathland Moor. The Duchy owns Tickhill, Pontefract and Pickering Castles, the last two of which are under the guardianship of Wakefield district council, and English Heritage respectively. Under its Urban Survey the Duchy owns property in Harrogate, Knaresborough, York and Doncaster. These include shop and business properties and 103 hectares of open space known as Harrogate Stray. Knaresborough Castle is leased to Harrogate borough council.

Gross income generated in the last three years was:

	£
Year to March 1998	1,057,000
Year to March 1999	1,192,000
Year to March 2000	1,318,000

EDUCATION AND EMPLOYMENT

Nursery Places (Wansbeck)

Mr. Denis Murphy: To ask the Secretary of State for Education and Employment how many free nursery places have been created for three and four-year-olds in Wansbeck since 1997. [153144]

Ms Hodge: As figures are not held for each individual constituency, the information provided relates to Northumberland local education authority area.

Since September 1998, all four-year-olds in Northumberland have been able to access a free, part-time, early education place. By March 2004, we expect all three-year-olds in Northumberland will have this entitlement.

The following table shows how many free early education places have been made available for three and four-year-olds since 1997 in Northumberland.

Year	*Number of places available*	*Percentage of children*
1997–98	5,902	83
1998–99	5,833	83
1999–2000	5,600	81
2000–01	5,713	83

In 2001–02 Northumberland will receive additional funding of £702,108 to provide places for 591 three-year-olds. This is in addition to the places that the authority will make available through their own resources (including Standard Spending Assessment).

The figures include those funded through the nursery education grant and the LEAs own resources (including Standard Spending Assessment).The drop in the number of places since 1997–98 is due to demographic changes in the number of three and four-year-olds.

In addition to early education places, since April 1999, 1,072 new child care places have been created in the Northumberland area.

Child Care Places (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many child care places there were in Shrewsbury and Atcham on *(a)* 1 May 1997 and *(b)* the latest available dates for which figures are available; and if he will make a statement. [154647]

Ms Hodge: Details of the number of child care places are not available by constituency. Between May 1997 and March 1999, the National Childcare Strategy created 7,855 child care places in the West Midlands. Since April 1999 local Early Years Development and Childcare Partnerships have provided details of the new child care places that have opened by constituency. Between April 1999 and December 2000 Shropshire Early Years Development and Childcare Partnership have reported the creation of 142 new child care places in the Shrewsbury and Atcham area.

Since 1997, 1,639 new early education places have been created for three and four-year-olds in the Shropshire area[1].

[1] Shropshire split into two authorities from April 1998. The figure for early education places for three and four-year-olds relates to the combined Shropshire authority area that existed in April 1997.

Child Care Places (Leeds, Central)

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what has been the total number of *(a)* new early education places for three year olds and *(b)* new child care places created in the Leeds, Central parliamentary constituency since May 1997. [156747]

Ms Hodge *[holding answer 3 April 2001]:* As figures for early years education places are not held by individual constituencies, the information provided relates to Leeds local education authority.

The overall proportion of three-year olds in the Leeds area able to access a free, part time, early education place was 66 per cent. in May 1997. All three-year olds in Leeds will be able to access a free early education place from this month. 1,621 additional early education places were created for three-year olds in Leeds local education authority between May 1997 and March 2001.

Child care figures by constituency are only available from April 1999. 208 new child care places have been created in Leeds, Central since April 1999. Between May 1997 and March 1999 the National Childcare Strategy created 7,759 child care places in Yorkshire and Humberside.

LEA Funding

Mr. Nicholas Winterton: To ask the Secretary of State for Education and Employment if he will make a statement on local education authority funding for 2001–02. [156859]

Ms Estelle Morris: The overall increase in Education Standard Spending (ESS) in 2001–02 is over £1 billion. In addition to the increase in ESS, the Government are also increasing Standards Fund grant by over £400 million; and following the recent budget announcement schools will also benefit from an increase of £350 million in direct grants. Taken together all these increases represent an 8 per cent. cash increase in revenue support for authorities and their schools next year, a real terms increase of £200 per pupil.

The schools' capital allocation for 2001–02 is £2.2 billion: this is part of an allocation of £8.5 billion over the three years covered by the Year 2000 Spending Review.

Since 1997, funding has increased by £540 per pupil in real terms. Under the last Government, funding per pupil fell by £80 in real terms between 1994–95 and 1997–98. The total increase following the Year 2000 Spending Review will be around £750 between 1997–98 and 2003–04.

While we have been increasing resources to education authorities, we have been reviewing the formula for allocating funds to local authorities. We are currently working on a reformed system, with the aim of moving towards it in 2002–03.

Early Years Education (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Education and Employment what has been the total number of *(a)* new early years education places for three year olds and *(b)* new child care places created in Amber Valley since May 1997. [157119]

Ms Hodge: Between spring 1998 and spring 2001 3,435 additional, free, early years places have been created for three-year-olds in the Derbyshire local education authority area[1]. These places were funded either through Nursery Education Grant funding or from the Authority's own resources.

Between May 1997 and March 1999, the National Childcare Strategy created 5,901 child care places in the East Midlands. Since April 1999 local Early Years Development and Childcare Partnerships have provided information by constituency of all new child care places except for child minder places. Between April 1999 and December 2000 Derbyshire Early Years Development and Childcare Partnership have reported the creation of 548 new child care places in Amber Valley. During that same period 261 new child minder places were created across the Derbyshire local education authority area.

[1] As a result of boundary changes and the creation of a new unitary authority in Derby City, meaningful figures are only available from January 1998 onwards.

Classroom of the Future Roadshows

Mr. Chope: To ask the Secretary of State for Education and Employment on what dates, and at what locations, his Department has held Classroom of the Future roadshows in the last year; what criteria are used for determining locations; and what roadshows are planned for the next two months. [157378]

Mr. Wills *[holding answer 6 April]* 14 Classroom of the Future roadshows were held in total in the last year, eight for teachers and head teachers and six for school governors. The roadshows for teachers and heads were held on the following dates and locations:

Date (2000)	*Location*
7 March	Heathrow, London
9 March	Leeds
13 March	Newcastle
15 March	Axbridge
6 March	Manchester
22 March	Dudley, Birmingham
23 March	Leicester
3 April	Central London

For school governors they were held on the following dates and locations:

Date	*Location*
30 October 2000	Chelmsford
8 November 2000	Chiswick, London
29 January 2001	Manchester
1 February 2001	Bristol
12 February 2001	Solihull, Birmingham
14 February 2001	Darlington

The locations for the roadshows were chosen to allow a good spread across the country to enable as many schools, teachers and governors to participate as possible.No further roadshows are planned for the next two months. We will continue to seek opportunities to raise the profile of ICT in education and to share good practice, and may decide to run a further series of similar events in the coming year.

General Teaching Council

Mr. Brady: To ask the Secretary of State for Education and Employment what percentage of his nominees to the General Teaching Council have declared political activity for *(a)* the Labour party, *(b)* the Conservative party, *(c)* the Liberal Democrats and *(d)* other parties. [157509]

Jacqui Smith: Of the Secretary of State's 13 appointees to the General Teaching Council only one declared political activity and in this instance it was for the Labour party.

Teaching Awards Ceremony

Mr. Brady: To ask the Secretary of State for Education and Employment what preparation has been made for the 2001 teaching awards ceremony; and what venue has been chosen. [157510]

Ms Estelle Morris: The Teaching Awards 2001 are run by an independent charity, The Teaching Awards Trust, in partnership with BT and other private sponsors. I understand that the national ceremony is due to take place on 28 October after a series of good practice workshops on 27 October. The Teaching Awards Trust has not yet secured a venue for this event, although it is likely to be in central London.

Nurseries (Funding)

Mr. Webb: To ask the Secretary of State for Education and Employment if he will make a statement on the eligibility for additional funding of nurseries and playgroups designed to enable them to extend their hours and services, announced by the Prime Minister on 26 March. [157712]

Ms Hodge: My right hon. Friend the Prime Minister specifically announced that an extra £15 million over three years is being made available for maintained nursery schools to extend the services they offer to include out of hours child care facilities, services for a wider age range of children, and family services. This will help around 45,000 children and their families.

My right hon. Friend also announced that £4 million over 12 months will be made available to provide support for playgroups and other early years or child care providers in England intending to expand their services from the traditional two and a half hours early education and/or care session to provide a longer day care facility. This will help around 15,000 children and their families by creating more child care places and providing greater choice, flexibility and quality child care facilities.

Through the Neighbourhood Nursery initiative, Early Excellence Centre, Sure Start and other programmes we will create, and encourage others to create, by 2004, up to 100,000 new full-time integrated nursery education and child care places. These initiatives are available to a range of providers, including nurseries and playgroups.

By March 2004 we plan to have spent over £1 billion on child care initiatives, as well as helping lower income working parents to pay for child care through the Working Families Tax Credit, and these resources will contribute to the extension of services for children, including nurseries and playgroups extending their hours.

LORD CHANCELLOR'S DEPARTMENT

JPs (Chorley)

Mr. Hoyle: To ask the Parliamentary Secretary, Lord Chancellor's Department how many justices of the peace there are in Chorley, broken down by party political affiliation. [157715]

Marjorie Mowlam: I have been asked to reply.

There are currently 71 magistrates assigned to the Chorley Bench. Of these, 25 give their political views as being Conservative; 18 Labour, and five Liberal Democrat. A further 22 magistrates indicate that they are uncommitted.

HEALTH

Gelatine

Mr. Jon Owen Jones: To ask the Secretary of State for Health what sorts of gelatine are used in the manufacture of hard and soft capsules for drugs used in Britain. [143100]

Yvette Cooper: The measures are laid down in the Note for Guidance on minimising the risk of transmitting animal spongiform encephalopathy agents via medicinal products. This guideline has been a force of law by virtue of a Commission Directive 1999/82 and has been incorporated into the United Kingdom domestic law. This guidance note focuses on the cumulative contribution of three factors to the safety of gelatine: the origin of the animals, type of tissue and manufacturing process. It is also recommended that appropriate quality system, such as ISO 9000 certification and Hazard Analysis Critical Control Point, should be put in place for monitoring of the production process and batch delineation. Procedures should also be in place to ensure traceability and to audit suppliers of starting materials.

Mr. Jon Owen Jones: To ask the Secretary of State for Health (1) what steps he has taken to ensure that gelatine used in soft and hard drug capsules is not contaminated with BSE prions; [143098]

(2) what recent tests his Department has *(a)* carried out and *(b)* commissioned to ensure that gelatine used in drug capsules does not contain the prion for BSE. [143099]

Yvette Cooper: Gelatine used for formulating medicines can be sourced from porcine and bovine hides (skin) and bovine bones. Acid process is applied to bovine bones, hides and porcine skins. An alkaline process is used to produce soft gelatine.

There are no tests designed specifically to detect BSE agent in gelatine.

Departmental Policies (Slough)

Fiona Mactaggart: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Slough constituency, the effects on Slough of his Department's policies and actions since 2 May 1997. [146928]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Berkshire health authority and Slough social services.

The increases in allocations between 1996–97 and 2001–02 for Berkshire health authority are set out in the table:

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	144.9
£ million (real terms)	95.6
Percentage (cash)	41.65
Percentage (real terms)	25.51

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Berkshire health authority has also received additional funding for certain policies. This includes: £1.2 million for accident and emergency modernisation in 2000–01; £144,000, £279,000, £418,000 and £283,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1999–2000 and 2000–01 respectively.

Berkshire health authority has also received £1.4 million for investment in cancer equipment that has already been delivered and is now in use; £5.3 million, £0.4 million and £0.3 million to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £1.6 million to expand critical care services in 2000–01; £2.5 million and £1.6 million to deal with winter pressures in 1998–99 and 2000–01 respectively; £254,000 for heart disease services in 2000–01; £340,000 invested in dentistry in 2000–01

In addition, my hon. Friend's constituents will benefit from the new £74.0 million major hospital development that is being developed at Royal Berkshire and Battle Hospitals National Health Service Trust.

Slough local authority came into existence on 1 April 1998. Its personal social services standard spending assessment for 2001–02 is £22.383 million.

In addition to its SSA, Slough has received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	758	—	—	—
Partnership grant[2]	—	577	493	654
Prevention grant[2]	—	46	70	
Carers grant[3]	—	45	123	173
Children's grant[3]	—	250	389	946
MH Core grant	116	199	230	[4]261
Training Support Grant	60	137	147	[4]173

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Morecambe and Lunesdale)

Miss Geraldine Smith: To ask the Secretary of State for Health if he will set out, including statistical information, the effect on the Morecambe and Lunesdale constituency of his Department's policies and actions since 2 May 1997. [149120]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report, "Department of Health—Government Expenditure Plans 2000–01", is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Morecambe Bay health authority and Lancashire social services authority.

Increases in allocations between 1996–97 and 2001–02 for Morecambe Bay health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (Cash)	58.5
£ million (Real terms)	35.2
Percentage (Cash)	34.0
Percentage (Real terms)	18.7

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Morecambe Bay health authority has also received additional funding for certain policies. This includes: £550,000 for accident and emergency modernisation at Morecambe Bay Hospitals National Health Service Trust; £27,000, £117,000, £197,000 and £130,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £2.1 million recurrently in 1999–2000 and £1.7 million recurrently to reduce waiting times and lists; £18,000 in 1997–98; £2.5 million in 1998–99; £232,000 in 1999–2000 and £296,000 in 2000–01 non recurrently to reduce waiting times and lists; £820,000 to expand critical care services in 2000–01; £1.1 million in 1997–98, £1.3 million in 1998–99 and £0.8 million in 2000–01 to deal with winter pressures; £492,000 in 2000–01, and a further £392,000 in 2001–02, for developing intermediate care services; £126,000 for heart disease services in 2000–01. For 2001–02, the authority plans to spend £1.9 million more on heart disease services, including drugs, from the real terms funding increase shown; and £129,000 invested in dentistry in 1998 in Morecambe.

In addition, my hon. Friend's constituents will benefit from £33.2 million investment at Morecambe Bay Hospitals and Bay Community NHS Trusts.

Lancashire local authority's personal social services standard spending assessment for 2001–02, compared with 1996–97, is set out in the table.

	£ million	Percentage increase Real	Cash
1996–97	187.309	—	—
2001–02	186.291	–11.9	–0.5

Note:
The SSA has decreased because of boundary changes resulting from local government re-organisation.

In addition to the SSAs referred to, Lancashire local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	8,064	—	—	—
Partnership grant[2]	—	5,552	4,700	6,412
Prevention grant[2]	—	436	650	
Carers grant[3]	—	435	1,050	1,452
Children's grant[3]	—	1,366	2,167	5,433
Mental Health Core grant	1,045	1,763	2,085	2,600
Training Support Grant	644	654	616	[4]399

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Bolton, West)

Ms Kelly: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Bolton, West constituency, the effects on Bolton, West of his Department's policies and actions since 2 May 1997. [150607]

Mr. Denham *[holding answer 5 February 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report, "Department of Health—Government Expenditure Plans 2000–01", is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Wigan and Bolton health authority and Wigan and Bolton social services authorities.

Increases in allocations between 1996–97 and 2001–02 for Wigan and Bolton health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (Cash)	122.7
£ million (Real terms)	80.3
Percentage (Cash)	40.9
Percentage (Real terms)	24.8

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Wigan and Bolton health authority has also received additional funding for certain policies. This includes: £3.1 million for accident and emergency modernisation between 1997–98 and 2000–01; £456,000, £210,000, £347,000 and £239,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £3.7 million recurrently in 1999–2000 and £3.4 million recurrently in 2000–01 to reduce waiting times and lists; £4.5 million in 1998–99, £165,000 in 1999–2000 and £333,000 in 2000–01 non recurrently to reduce waiting times and lists; £0.9 million to expand critical care services in 2000–01; £1.2 million in 1997–98, £2.4 million in 1998–99, and £0.8 million in 2000–01 to deal with winter pressures; £2.1 million in 2000–01 and £0.1 million in 2001–02 for developing intermediate care services; £183,000 for heart disease services in 2000–01. For 2001–02, the health authority plans to spend £1.3 million more on heart disease services, including drugs, from the real terms funding increase highlighted.

In addition, my hon. Friend's constituents will benefit from redevelopment of the Royal Albert Edward Infirmary in Wigan at a cost of £24 million.

Bolton local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	37.958	—	—
2001–02	50.460	17.7	32.9

In addition to the SSAs referred to, Bolton local authority received additional funding in the form of a number of special and specific grants as set out in the table:

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	2,043	—	—	—
Partnership grant[2]	—	1,464	1,241	1,674
Prevention grant[2]	—	109	163	
Carers grant[3]	—	108	269	373
Children's grant[3]	—	397	625	1,536
Mental Health Core grant	280	472	562	816[4]
Training Support Grant	279	301	381	372[4]

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Bristol, East)

Jean Corston: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Bristol, East constituency, the effects on Bristol of his Department's policies and actions since 2 May 1997. [150554]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Avon health authority and City of Bristol social services.

The increases in allocations between 1996–97 and 2001–02 for Avon health authority are set out in the table:

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	184.5
£ million (real terms)	118
Percentage (cash)	38.57
Percentage (real terms)	22.78

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Avon health authority has also received additional funding for certain policies. This includes: £2.521 million for accident and emergency modernisation in 2000–01; £158,000, £368,000, £535,000 and £366,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £4.677 million and £8.035 million to reduce waiting lists and times in 2000–01 and 2001–02 respectively; £3.191 million to expand critical care services in 2000–01; £4.677 million to deal with winter pressures in 2000–01, of this £2.043 million went to social services; £2.847 million and £722,000 for developing intermediate care services in 2000–01 and 2001–02 respectively; £350,000 and £1.9 million for heart disease services 2000–01 and 2001–02 respectively; and £70,000 invested in dentistry in 2000–01.

In addition, my hon. Friend's constituents will benefit from an award of £68 million for Avon and Western Wiltshire Mental Health NHS Trust's scheme to replace dilapidated and outdated facilities in unsuitable locations in order to deliver responsive mental health services to the local communities. Work to develop this scheme is due to start in 2001.

My hon. Friend's constituents will also benefit from UBHT scheme of £104 million which will enable them to reconfigure acute and critical care facilities on the main site, together with a diagnostic and treatment centre and development of intermediate care centres in Keynsham Hospital and at the Bristol General.

Bristol local authority's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	59.599	—	—
2001–02	76.203	13.2	27.9

In addition to the SSAs referred to, Bristol local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	2,837	—	—	—
Partnership grant[2]	—	2,103	1,801	2,423
Prevention grant[2]	—	165	248	
Carers grant[3]	—	164	423	584
Children's grant[3]	—	714	1,134	2,778
Mental Health Core grant	412	695	802	[4]121
Training Support Grant	373	427	518	[4]501

[1] The special transitional grant ended in 1998–99

[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant

[3] The carers' and children's grants were introduced in 1999–2000

[4] Indicative allocation

Departmental Policies (Blackpool, North and Fleetwood)

Mrs. Humble: To ask the Secretary of State for Health if he will set out, including statistical information, the effect on the Blackpool, North and Fleetwood constituency of his Department's policies and actions since 2 May 1997. [150719]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by North West Lancashire Health Authority and Blackpool social services authority.

Increases in allocations between 1996–97 and 2001–02 for North West Lancashire Health Authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	100.8
£ million (real terms)	64.3
Percentage (cash)	38.7
Percentage (real terms)	22.9

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

North West Lancashire health authority has also received additional funding for certain policies. This includes: £450,000 for accident and emergency modernisation at Blackpool Victoria Hospital NHS Trust; £25,000, £147,000, £296,000 and £199,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–00 and 2000–01 respectively; £27,000, £3.8 million, £160,000 and £345,000 in 1997–98, 1998–99, 1999–00 and 2000–01 respectively to reduce waiting times and lists; £1.8 million to expand critical care services in 2000–01; £0.6 million in 1997–98; £1.9 million in 1998–99 and £0.7 million in 2000–01 to deal with winter pressures; £1.3 million in 2000–01 and £4.4 million in 2001–02 for developing intermediate care services; and £178,000 for heart disease services in 2000–01. For 2001–02, the authority plans to spend £1.9 million more on heart disease services, including drugs, from the real terms funding increase highlighted.

In 1997–98, dental practices in the Blackpool, North and Fleetwood areas received more than £160,000 through the Investing in Dentistry initiative. In 2001, Blackpool town centre will receive funding for a personal dental services pilot aimed at improving access across the town.

In addition, my hon. Friend's constituents will benefit from the new £30 million Phase V development at Blackpool Victoria Hospital.

Blackpool local authority came into existence on 1 pril 1998. Its personal social services standard spending assessment for 2001–02 is £31.646 million.

In addition to its SSA, Blackpool has received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	1,422	—	—	—
Partnership grant[2]	—	944	793	1,071
Prevention grant[2]	—	72	106	
Carers' grant[3]	—	72	175	240
Children's grant[3]	—	237	379	979
Mental Health Core grant	173	293	350	[4]444
Training Support Grant	86	197	270	[4]311

[1] The special transitional grant ended in 1998–99

[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant

[3] The carers' and children's grants were introduced in 1999–2000

[4] Indicative allocation

Departmental Policies (Stroud)

Mr. Drew: To ask the Secretary of State for Health if he will set out, with statistical information relating as

directly as possible to the constituency, the effects on the Stroud constituency of his Department's policies and actions since 2 May 1997. [152402]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–2001" is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies are not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Gloucestershire health authority and Gloucestershire social services.

The increases in allocations between 1996–97 and 2001–02 for Gloucestershire health authority are set out in the table:

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	93
£ million (real terms)	55.3
Percentage (cash)	33.29
Percentage (real terms)	18.10

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Gloucestershire health authority has also received additional funding for certain policies. This includes: £1.479 million for accident and emergency modernisation in 2000–01; £123,000, £210,000, £308,000 and £205,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £2.632 million to reduce waiting lists and times in 2000–01; £1.314 million to expand critical care services in 2000–01; £1.508 million to deal with winter pressures in 2000–01, of this £536,000 went to Gloucestershire social services; £1.551 million and £389,000 for developing intermediate care services in 2000–01 and 2001–02 respectively; £172,000 and £1.034 million for heart disease services in 2000–01 and 2001–02 respectively; and £95,000 invested in dentistry in 2000–01.

Gloucestershire local authority's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
Year	*£ million*	*Real*	*Cash*
1996–97	61.579	—	—
2001–02	81.227	16.8	31.9

In addition to the SSAs referred to, Gloucester local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	2,402	—	—	—
Partnership grant[2]	—	2,465	2,097	2,914
Prevention grant[2]	—	197	294	
Carers grant[3]	—	199	467	654
Children's grant[3]	—	524	821	2,044
Mental Health Core Grant	457	771	890	[4]1,168
Training Support Grant	310	405	337	[4]338

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Warrington, North)

Helen Jones: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Warrington, North constituency, the effects on Warrington, North of his Department's policies and actions since 2 May 1997. [152317]

Mr. Denham *[holding answer 6 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by North Cheshire health authority and Halton and Warrington social services authorities.

Increases in allocations between 1996–97 and 2001–02 for North Cheshire health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	57.6
£ million (real terms)	34.7
Percentage (cash)	34.20
Percentage (real terms)	18.91

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

North Cheshire health authority has also received additional funding for certain policies. This includes: £864,000 for accident and emergency modernisation between 1997–98 and 2000–01; £31,000, £125,000, £192,000 and £129,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £2.1 million in 1999–2000 recurrently and £1.7 million recurrently in 2000–01 to reduce waiting times and lists; £75,000 in 1997–98, £2.5 million in 1998–99, £90,000 in 1999–2000 and £226,000 in 2000–01 non recurrently to reduce waiting times and lists; £1.5 million to expand

critical care services in 2000–01; £1.2 million in 1997–98, £1.2 million in 1998–99, and £1.1 million in 2000–01 to deal with winter pressures; £0.6 million in 2000–01 and 2001–02 for developing intermediate care services; £122,000 for heart disease services in 2000–01. For 2001–02, the authority plans to spend £0.6 million more on heart disease services, including drugs, from the real terms funding increase given; and £110,000 has been invested in dentistry between 1997–98 and 2000–01.

In addition, my hon. Friend's constituents will benefit from the new purchase of the Daresbury Wing (a private hospital facility on the Warrington Hospital) by the National Health Service in 1999–2000 which cost £1.8 million. A further £1.2 million has been provided by the North West Regional Office of the Department of Health to equip the facility so that it can carry out orthopaedic surgery for the residents of Warrington and the surrounding areas.Warrington local authority came into existence on 1 April 1998. Its personal social services standard spending assessment for 2001–02 is £28.699 million.

In addition to its SSA, Warrington has received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	1,179	—	—	—
Partnership grant[2]	—	847	726	984
Prevention grant[2]	—	65	98	
Carers grant[3]	—	65	157	218
Children's grant[3]	—	195	306	766
Mental Health Core grant	157	265	312	[4]373
Training Support Grant	106	175	198	[4]225

[1] The special transitional grant ended in 1998–99.
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation.

Departmental Policies (Newbury)

Mr. Rendel: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the Newbury constituency, the effects on Newbury and west Berkshire of his Department's policies and actions since 2 May 1997. [154573]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies are not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The hon. Member's constituency falls within the geographical area covered by Berkshire health authority and West Berkshire social services.

The increases in allocations between 1996–97 and 2001–02 for Berkshire health authority are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	144.9
£ million (real terms)	95.6
Percentage (cash)	41.65
Percentage (real terms)	25.51

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Berkshire health authority has also received additional funding for certain policies. This includes: £1.2 million for accident and emergency modernisation in 2000–01; £144,000, £279,000, £418,000 and £283,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1999–00 and 2000–01 respectively.

Berkshire health authority has also received £1.4 million for investment in cancer equipment that has already been delivered and is now in use; £5.3 million, £0.4 million and £0.3 million to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £1.6 million to expand critical care services in 2000–01; £2.5 million and £1.6 million to deal with winter pressures in 1998–99 and 2000–01 respectively; £254,000 for heart disease services in 2000–01; £340,000 invested in dentistry in 2000–01.

In addition, the hon. Gentleman's constituents will benefit from the new £74.0 million major hospital development that is being developed at Royal Berkshire and Battle NHS Trust.

West Berkshire local authority came into existence on 1 April 1998. Its personal social services standard spending assessment for 2001–02 is £16.331 million.

In addition to its SSA, West Berkshire has received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	669	—	—	—
Partnership grant[2]	—	491	416	581
Prevention grant[2]	—	42	62	
Carers grant[3]	—	42	97	137
Children's grant[3]	—	112	187	412
Mental Health Core grant	106	179	820	[4]236
Training Support Grant	57	121	123	[4]153

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Truro and St. Austell)

Mr. Matthew Taylor: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the Truro and St. Austell constituency, the effects on Truro and St. Austell of his Department's policies and actions since 2 May 1997. [154529]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The hon. Member's constituency falls within the geographical area covered by Cornwall and Isles of Scilly health authority and Cornwall social services.

The increases in allocations between 1996–97 and 2000–01 for Cornwall and Isles of Scilly health authority are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	94
£ million (real terms)	58.3
Percentage (cash)	36.25
Percentage (real terms)	20.72

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Cornwall health authority has received funding for certain policies. This includes: £99,000, £193,000, £266,000 and £192,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99 1999–2000 and 2000–01 respectively; £2.499 million and £4.198 million to reduce waiting lists and times in 2000–01 and 2001–02 respectively; £1.407 million to expand critical care services in 2000–01; £580,000 to deal with winter pressures in 2000–01, of this £125,000 went to social services; £1.488 million and £377,000 for developing intermediate care services in 2000–01 and 2001–02 respectively; £785,000 and £1.002 million for heart disease services 2000–01 and 2001–02 respectively; and £80,000 invested in dentistry in 2000–01.

		Percentage increase	
Year	*£ million*	*Real*	*Cash*
1996–97	60.814	—	—
2001–02	83.924	22.2	38.0

In addition to the SSAs referred to, Cornwall local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	3,598	—	—	—
Partnership grant[2]	—	2,537	2,184	3,086
Prevention grant[2]	—	198	298	
Carers grant[3]	—	204	476	669
Children's grant[3]	—	488	764	1,917
Mental Health Core grant	454	766	885	[4]1,191
Training Support Grant	266	229	297	[4]315

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Lancaster and Wyre)

Mr. Dawson: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Lancaster and Wyre constituency, the effect on Lancaster and Wyre of his Department's policies and actions since 2 May 1997. [154682]

Mr. Denham *[holding answer 21 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Morecambe Bay health authority and Lancashire social services authority.

Increases in allocations between 1996–97 and 2001–02 for North West Lancashire health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (Cash)	58.5
£ million (Real terms)	35.2
Percentage (Cash)	34.0
Percentage (Real terms)	18.7

Note:
Increases for 1999–2000 are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Morecambe Bay health authority has also received additional funding for certain policies. This includes: £550,000 for accident and emergency modernisation at Morecambe Bay Hospitals National Health Service Trust; £27,000, £117,000, £197,000 and £130,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £2.1 million recurrently in 1999–2000 and £1.7 million recurrently in 2000–01 to reduce waiting lists and times; £18,000 in 1997–98, £2.5 million in 1998–99, £232,000 in 1999–2000 and £296,000 in 2000–01—non recurrently to reduce waiting times and lists; £820,000 to expand critical care services in 2000–01; £1.1 million in 1997–98, £1.3 million in 1998–99 and £0.8 million in 2000–01 to deal with winter pressures; £492,000 in 2000–01 and £392,000 in 2001–02, for developing intermediate care services; £126,000 for heart disease services in 2000–01; for 2001–02, the authority plans to spend £1.9 million more on heart disease services, including drugs, from the real terms funding increase shown; and £12,000 invested in dentistry in 1998 in Lancaster.

In addition, my hon. Friend's constituents will benefit from £33.2 million investment at Morecambe Bay Hospitals and Bay Community NHS Trusts.

Lancashire local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	187.309	—	—
2001–02	186.291	–11.9	–0.5

Note:
The SSA has decreased because of boundary changes resulting from local government re-organisation.

In addition to the SSAs referred to Lancashire local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	8,064	—	—	—
Partnership grant[2]	—	5,552	4,700	6,412
Prevention grant[2]	—	436	650	
Carers grant[3]	—	435	1,050	1,452
Children's grant[3]	—	1,366	2,167	5,433
MH Core grant	1,045	1,763	2,085	2,600
Training Support Grant	644	654	616	[4]399

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Chichester)

Mr. Martyn Jones: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Chichester constituency, the effects on Chichester of his Department's policies and actions since 2 May 1997. [155288]

Ms Stuart: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The constituency falls within the geographical area covered by West Sussex health authority and West Sussex social services.

The increases in allocations between 1996–97 and 2001–02 for West Sussex health authority are set out in the table:

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	146.0
£ million (real terms)	92.9
Percentage (cash)	38.35
Percentage (real terms)	22.59

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

West Sussex health authority has also received additional funding for certain policies. This includes: £2.2 million for accident and emergency in 2000–01; £144,000, £308,000, £438,000 and £293,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; West Sussex health authority has also received £296,000 for investment in cancer equipment that has already been delivered and is now in use. £5.8 million, £0.4 million and £0.3 million to reduce waiting lists and times in 1998–99, 1999–2000 and 2000–01 respectively; £1.8 million to expand critical care services in 2000–01; £2.9 million and £1.2 million to deal with winter pressures in 1998–99 and 2000–01 respectively; £1.8 million for heart disease services in 2000–01; £255,600 invested in dentistry in 2000–01.

In addition, constituents will benefit from the new £24.0 million major scheme for the reprovision of services relating to Graylingwell Hospital.

West Sussex local authority's personal social services standard spending assessment for 2001–02 compared with 1996–97 is set out in the table:

		Percentage increase	
	£ million	Real	Cash
1996–97	94.602	—	—
2001–02	118.454	10.9	25.2

In addition to the SSAs referred to, West Sussex local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	5,151	—	—	—
Partnership Grant[2]	—	3,575	3,071	4,484
Prevention Grant[2]	—	314	474	
Carers Grant[3]	—	317	725	1,033
Children's Grant[3]	—	676	1,062	2,682
MH Core Grant	767	1,197	1,381	[4]1,784
Training Support Grant	396	542	677	[4]607

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (North Devon)

Mr. Harvey: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the North Devon constituency, the effects on North Devon of his Department's policies and actions since 2 May 1997. [155898]

Mr. Denham: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government

Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The hon. Member's constituency falls within the geographical area covered by North and East Devon health authority and Devon Social Services.

The increases in allocations between 1996–97 and 2000–01 for North and East Devon health authority are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	84.7
£ million (real terms)	50.6
Percentage (cash)	33.60
Percentage (real terms)	18.37

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

North and East Devon health authority has received funding for certain policies. This includes: £1.352 million for accident and emergency modernisation in 2000–01; £157,000, £211,000, £273,000 and £186,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £3.186 million and £3.994 million to reduce waiting lists and times in 2000–01 and 2001–02 respectively; £1.333 million to expand critical care services in 2000–01; £804,000 to deal with winter pressures in 2000–01, £368,000 of this went to Devon Social Services; £1.422 million and £359,000 for developing intermediate care services in 2000–01 and 2001–02 respectively; £470,000 and £954,000 for heart disease services 2000–01 and 2001–02 respectively; and £50,000 invested in dentistry in 2000–01.

Devon local authority's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	138.497	—	—
2001–02	110.339	–29.4	–20.3

Note:
The SSA has decreased because of boundary changes resulting from local government re-organisation

In addition to the SSAs referred to Devon local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	4,890	—	—	—
Partnership Grant[2]	—	3,407	2,917	4,140
Prevention Grant[2]	—	280	420	
Carers Grant[3]	—	289	662	923
Children's Grant[3]	—	624	986	2,471
Mental Health Core Grant	667	1,046	1,207	[4]1,408
Training Support Grant	381	450	484	[4]473

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (North Cornwall)

Mr. Tyler: To ask the Secretary of State for Health if he will set out, including statistical information relating as directly as possible to the North Cornwall constituency, the effects on North Cornwall of his Department's policies and actions since 2 May 1997. [156123]

Ms Stuart *[holding answer 30 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

The hon. Member's constituency falls within the geographical area covered by Cornwall and Isles of Scilly health authority and Cornwall Social Services authority.

The increases in allocations between 1996–97 and 2001–02 for Cornwall health authority is set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	94.0
£ million (real terms)	58.3
Percentage (cash)	36.25
Percentage (real terms)	20.72

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Cornwall health authority has received funding for certain policies. This includes: £99,000, £193,000, £266,000 and £192,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £2.499 million and £4.198 million to reduce waiting lists and times in 2000–01 and 2001–02 respectively; £1.407 million to expand critical care services in 2000–01; £580,000 to deal with winter pressures in 2000–01, of this £125,000 went to social services; £1.488 million and £377,000 for developing intermediate care services in 2000–01 and 2001–02 respectively; £785,000 and £1.002 million for heart disease services 2000–01 and 2001–02 respectively; and £80,000 invested in dentistry in 2000–01.

In addition, the hon. Member's constituents will benefit from a new major capital investment of £101 million major hospital development due to start in 2002 at Plymouth Hospitals NHS Trust.

Cornwall local authority's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table.

	£ million	Percentage increase Real	Cash
1996–97	60.814	—	—
2001–02	83.924	22.2	38.0

In addition to the SSAs referred to, Cornwall local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	3,598	—	—	—
Partnership Grant[2]	—	2,537	2,184	3,086
Prevention Grant[2]	—	198	298	
Carers Grant[3]	—	204	476	669
Children's Grant[3]	—	488	764	1,917
Mental Health Core Grant	454	766	885	[4]1,191
Training Support Grant	266	229	297	[4]315

[1] The special transitional grant ended in 1998–99.
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant.
[3] The carers' and children's grants were introduced in 1999–2000.
[4] Indicative allocation.

Independent Advocacy Services

Joan Ruddock: To ask the Secretary of State for Health how the Independent Advocacy Services will be *(a)* commissioned, *(b)* funded and *(c)* provided. [155953]

Ms Stuart: Subject to legislation in the Health and Social Care Bill, Independent Advocacy Services will be commissioned to assist patients who are making complaints about National Health Service organisations. Patients will be able to access the service directly or may be referred to it by Patient Advocacy Liaison Service or NHS Direct.

The Bill requires that my right hon. Friend the Secretary of State consult the Patients' Council and other relevant bodies on the best approach for a locality before commissioning and funding a service.

Beef Imports

Mr. Todd: To ask the Secretary of State for Health what steps he is taking to review the Fresh Meat (Beef Controls) Regulations 1996; and if he will list the countries from which over-30-month beef may be imported. [156484]

Ms Stuart: The Fresh Meat (Beef Controls) (No 2) Regulations 1996 set out the generally applicable ban on the sale for human consumption of beef from cattle aged over thirty months at slaughter (OTM rule).

As far as United Kingdom slaughterings are concerned, I am advised by the Food Standards Agency (FSA) that, as recommended in its review of BSE controls, it intends to review in August 2001 the effectiveness of the tightened animal feed controls introduced in August 1996 and the evidence of BSE incidence five years after that time. Depending on the outcome of that review, it is anticipated that it may be possible in early 2002 for the FSA to advise the date of birth of cattle that need not enter the OTM scheme and which could be sold for human consumption. This date of birth could not be earlier than August 1996 when the enhanced feed ban was implemented. Such a change could not be introduced unilaterally but would require the agreement of the European Commission and other member states.

Beef from cattle aged OTM at slaughter may be imported from any country but it may only be sold for human consumption if it comes from animals that were born, reared and slaughtered in Argentina, Australia, Botswana, Brazil, Mauritius, Namibia, New Zealand, Paraguay, Poland, South Africa, Swaziland, Uruguay, United States of America and Zimbabwe. These are countries that historically supplied the UK and in which there was no history of BSE. The review of BSE controls recognised the need to keep up to date the list of countries that are considered to be BSE free and I am advised by the FSA that it is being reviewed in the light of recent European Union assessments of geographical risk.

Copies of the FSA's review of BSE controls are available in the Library.

Urologist Consultants

Mr. Pound: To ask the Secretary of State for Health how many urologist consultants are projected to be in post in 2005. [157086]

Mr. Denham: Figures from the specialty workforce advisory group show that the number of consultants in the urology specialty in England and Wales is set to increase from 442 in 1999 to 570 in 2005, an increase of nearly a third.

Mr. Pound: To ask the Secretary of State for Health how many consultant urologist posts there were in the NHS in *(a)* 1990, *(b)* 1995 and *(c)* 2000; and how many of those posts were vacant. [157109]

Mr. Denham: The number of consultant urologists in each year mentioned is set out in the table.

Hospital medical urology consultants

At 30 September	Number
1990	220
1995	310
2000	380

Notes:
1. Figures rounded to the nearest 10
2. Figures exclude locums
3. These are headcount figures

Source:
Department of Health medical and dental workforce census

We are unable to provide vacancy information for consultant urologists. Vacancy information for the surgical group, which includes urology, is set out in the table.

Department of Health vacancies survey: Number of consultant vacancies in the surgical group three month vacancy figures[1]

England

Year	Vacancies
1999	60
2000	62

[1] Posts that had been vacant for three months or more at 31 March each year.

Notes:
1. Figures are whole-time equivalents rounded to the nearest whole number.
2. Vacancy information has been collected only since 1999.

Source:
Department of Health vacancies survey

EU Tobacco Directive

Dr. Whitehead: To ask the Secretary of State for Health if it is his intention to apply for a derogation until 2007 for the EU Directive on the manufacture, presentation and sale of tobacco products. [156798]

Yvette Cooper *[holding answer 4 April 2001]:* The Directive on manufacture, presentation and sale of tobacco products, once adopted, will permit member states to delay applying new tar, carbon monoxide and nicotine limits to cigarettes intended for export outside the European Community until January 2007. We will consult in due course on the details of transposing the Directive into United Kingdom law, including the length of the transitional period for third country exports. Ministers will take a final decision in the light of that consultation.

Dr. Whitehead: To ask the Secretary of State for Health if it is the intention of the Government to publish its preferred position on derogation of the implementation of the EU Directive on the manufacture, presentation and sale of tobacco products prior to consultations on the transposition of the directive into UK law. [156799]

Yvette Cooper *[holding answer 4 April 2001]:* We will consult on the policy options for transposing this Directive into United Kingdom law in due course, including the length of any derogations. Ministers will then take final decisions in the light of that consultation.

Care Homes

Mr. Hinchliffe: To ask the Secretary of State for Health when he expects to publish the national minimum standards for care homes for adults; and if he will make a statement. [157280]

Mr. Hutton: We hope to be able to publish the consultation document on the care homes regulations and the national minimum standards for care homes for younger adults and adult placements in the next few weeks.

Child Sex Abuse

Ms Julie Morgan: To ask the Secretary of State for Health, pursuant to his answer of 12 March 2001, *Official Report*, column 423W, how many local authorities have access within their local areas to specialist services for children who sexually abuse other children. [157363]

Mr. Hutton *[holding answer 6 April 2001]:* The information requested is not held centrally.

Under section 17 of the Children Act 1989 it is the duty of every local authority to safeguard and promote the welfare of children within their area who are in need. Children who sexually abuse other children are likely to have considerable, often complex, needs.

Consequently, children who sexually abuse other children may receive a whole range of services from several different agencies including social services, Youth Offending Teams, health authorities and voluntary organisations.

Consultancy Payments

Mr. Stephen O'Brien: To ask the Secretary of State for Health what the total gross running costs were to his Department of fees and disbursements paid to consultants *(a)* in the period February 1996 to January 1997 and *(b)* in the financial year 1996–97. [157614]

Ms Stuart: The Department's expenditure on external management consultants in the financial year 1996–97 was £15.789 million.

The Department does not hold the 1996 data in a form that would allow us to calculate the consultancy spend over the specific period February 1996 to January 1997.

Newcastle City Health Trust

Mr. Cousins: To ask the Secretary of State for Health what deficit he expects in respect of *(a)* elderly and *(b)* rehabilitation services of the former Newcastle City Health Trust; if (i) bridging and (ii) brokerage finance has been agreed; and if the successor trusts will receive similar support. [157100]

Mr. Hutton: The Newcastle City Health National Health Service Trust is forecasting a revenue breakeven position for 2000–01. Information on the financial position of individual service components of the trust is not held centrally.

The trust received £1 million assistance in respect of the Newcastle strategic review (NSR) bridging arrangements, which was partially funded from national special assistance funding. This funding is non-repayable. In addition, the trust received £1.8 million cash in March 2001, which will become repayable in April 2001 from successor organisations as part of the management of year end balances in the local health economy. Newcastle and North Tyneside health authority is to receive £2.5 million national special assistance in 2001–02.

Bed Closures (Newcastle)

Mr. Cousins: To ask the Secretary of State for Health when, and by whom, it was decided to close beds at Hunters Moor Hospital, Newcastle; on what grounds the decision was taken; and when those beds will be reopened. [157102]

Mr. Hutton: Northgate and Prudhoe National Health Service Trust agreed in October 2000 to upgrade the facilities for patients as soon as possible after they began to manage the rehabilitation services provided at Hunters Moor Hospital, as requested by both Newcastle and North Tyneside health authority and Newcastle community health council. Work to upgrade facilities began in December and five beds were closed at that time. Three beds reopened as work progressed and as of 4 April all beds were open.

Newcastle, North Tyneside and Northumberland Trust

Mr. Cousins: To ask the Secretary of State for Health who has been appointed Chair and non-executive directors of the Newcastle, North Tyneside and Northumberland Neuro-rehabilitation Trust. [157101]

Mr. Hutton: My right hon. Friend the Secretary of State has appointed Ms Sue Whittaker to chair the new Newcastle, North Tyneside and Northumberland Mental Health National Health Service Trust until 30 November

2004. An announcement on the appointment of four of the non-executive directors of the new trust will be made very shortly.

Newcastle (Strategic Review)

Mr. Cousins: To ask the Secretary of State for Health when decisions were taken to *(a)* establish the Newcastle Acute Services Review, *(b)* replace the present Northern Centre for Cancer Treatment, Newcastle and *(c)* replace the present Hunters Moor Hospital, Newcastle; when the outline business cases were submitted for (b) and (c); and when he will invite bids for the work. [157015]

Mr. Hutton: The Newcastle strategic review (NSR), as a strategy, was approved by Ministers in December 1993. The first support to its capital investment implications commenced in 1995, with the start of an allocation of £8.4 million of "fast track" capital to commence movement of acute services off the Newcastle General Hospital site. Confirmation of the support to larger scale capital investment was provided by the approval of the second wave strategic outline case (SOC) in April 1998, revisions to which were approved in September 1999.

The 1993 NSR strategy document did not include provision for the relocation of the northern centre for cancer treatment (NCCT) from the Newcastle General Hospital site. It became subsequently apparent as acute services were relocated off the Newcastle General Hospital site that the NCCT would become increasingly isolated from access to surgery, medicine, anaesthetics, critical care and other clinical services. Consequently, the subsequent SOC (approved in April 1998) included the reprovision of the NCCT on the Freeman Hospital site.

Public consultation was undertaken during Summer 2000 on the reconfiguration of neuro-disability services for the northern part of the region. In September 2000 Newcastle and North Tyneside health authority supported the option to reprovide the services including those currently provided at Hunters Moor Hospital with new facilities on the Walkergate Hospital site.

The business cases for the main elements of the NSR (which includes reprovision of the NCCT) were received on 14 February 2001. The date for when bids for the work will be sought is dependent on the completion of the refinement of the outline business cases, which is now being undertaken by the trust and health authority.

Although a business case for the development at Walkergate is in preparation, a definitive version has not yet been submitted to the regional office of the National Health Service Executive for approval. Consequently it is not yet possible to say when bids for this scheme will be invited.

NHS Vacancies

Mr. Harvey: To ask the Secretary of State for Health how many NHS vacancies there were for *(a)* doctors, *(b)* nurses, *(c)* midwives, *(d)* health visitors, *(e)* professions allied to medicine and *(f)* management and administration staff for each of the last 10 years for which figures are available; how many posts in each category have been vacant for longer than three months; and if he will make a statement. [157323]

Mr. Denham: The Department has collected data on the number of posts that have been vacant for three months or more as at 31 March in 1999 and 2000. The information is in the table.

Department of Health Vacancies Survey
Three month vacancy figures[1] in England as at 31 March for each year

	1999	*2000*
Consultants	530	760
Qualified nurses	7,150	9,870
Of which		
Midwives	370	490
Health visitors	95	191
Professions allied to medicine[2]	860	1,510
Administration and estates[3]	640	1,740

[1] Posts that had been vacant for three months or more at 31 March each year.

[2] Professions allied to medicine staff include the following occupation groups: Chiropody, dietetics, occupational therapy, orthoptics/optics, physiotherapy, diagnostic radiography, therapeutic radiology, art/music/drama therapy.

[3] Management and administration staff are part of administration and estates staff group, and cannot be separately identified.

Note:
Figures are whole time equivalents rounded to the nearest 10.

Source:
Department of Health Vacancies Survey

Locum Doctors

Mr. Harvey: To ask the Secretary of State for Health what the cost was to the NHS of employing locum doctors in *(a)* general practice and *(b)* hospital medicine in each of the last five years for which figures are available; and if he will make a statement. [157324]

Mr. Denham: This information is not collected or held centrally.

Epilepsy

Mr. O'Hara: To ask the Secretary of State for Health what change there has been in recorded cases of epilepsy between 1 November 1999 and 28 February 2001. [157555]

Mr. Denham: The information is not available in the format requested. The table shows the number of admissions by month to National Health Service hospitals in England for epilepsy in 1999–2000. Data for 2000–01 are not yet available. The figures do not reflect the numbers of individuals involved, neither do they include cases of epilepsy that do not result in admission to hospital.

Admissions to NHS hospitals in England where the main diagnosis was epilepsy, 1999–2000

Year/month	*Admissions*
1999	
April	3,030
May	3,163
June	3,110
July	3,071
August	3,282
September	3,234
October	3,104
November	3,020
December	2,783

Admissions to NHS hospitals in England where the main diagnosis was epilepsy, 1999–2000

Year/month	*Admissions*
2000	
January	2,929
February	2,873
March	2,847

Notes:
1. The main diagnosis is the first of seven diagnosis fields in the HES data set, and provides the main reason why the patient was in hospital
2. Figures have not yet been adjusted for shortfalls in data
Source:
Hospital Episode Statistics (HES), Department of Health

Correspondence

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of 12 January, 8 February, 8 March and 4 April relating to a constituent, Mrs. Ruth Cooper of Hoddesdon. [157458]

Mr. Denham: A reply to the hon. Member's letters was sent 19 February 2001.

HOME DEPARTMENT

Private Security Industry Bill

11. **Mr. Michael Jabez Foster:** To ask the Secretary of State for the Home Department what proposals he has for licensing wheel-clampers. [156030]

Mr. Mike O'Brien: The Private Security Industry Bill, which was introduced in the House last month, sets out proposals to regulate private wheel-clampers. Under the Bill anyone engaged in wheel-clamping by way of business or employment or for monetary gain will need to obtain a licence from the regulatory authority which is also being set up under the legislation.

Ms Dari Taylor: To ask the Secretary of State for the Home Department what representations he has received regarding the Private Security Industry Bill. [156054]

Mr. Charles Clarke: We have received representations from a number of organisations and individuals including:

companies and individuals working in the private security industry;

local authorities and their associations;

Members of Parliament;

Members of the House of Lords;

representative bodies in the leisure industry;

the police;

trade and professional associations;

trade unions; and

members of the public.

The representations related to a number of provisions of the Bill, including the regulation of in-house manned guards and other sectors of the industry, wheel-clamping and the licensing of security companies.

Mr. Hope: To ask the Secretary of State for the Home Department if he will make a statement on his plans for regulation of club and pub doormen. [156038]

Mr. Charles Clarke: The Private Security Industry Bill provides for the establishment of a Security Industry Authority which will have responsibility for licensing individuals employed in designated sectors of the security industry, including door supervisors.

The Authority will be responsible for establishing a licensing regime for all door supervisors. This will involve setting national criteria, in consultation with the police, industry and local authorities, which will be used in deciding whether to grant a licence. Initially the criteria will involve a criminal record check, but it is envisaged that over time additional criteria relating to training and similar issues will be imposed. This aim is to ensure that only fit and proper people receive licences to operate as door supervisors. Those who do not meet the published criteria will be refused licences.

Clubbers (Safe Havens)

12. **Dr. Gibson:** To ask the Secretary of State for the Home Department what plans he has to encourage safe havens for clubbers. [156031]

Mr. Charles Clarke: Following the sad deaths of three young men in Norwich, we welcome and support the local initiative to provide a refuge for vulnerable young people who are affected by alcohol on busy clubbing nights; we will see what wider lessons can be learned from it.

Hilda Murrell

13. **Mr. Dalyell:** To ask the Secretary of State for the Home Department pursuant to his answer of 9 March 2001, *Official Report*, column 386W, on Hilda Murrell, if he will make a statement on the staged examinations of samples being carried out by the Forensic Science Service. [156032]

Mr. Charles Clarke: West Mercia constabulary and the Forensic Science Service are working together on a structured approach to the examination of all potential DNA-bearing material relating to this case. This has involved setting up a staged process applying the DNA techniques in a priority order so as to conserve as far as possible samples for future analysis if the current tests are unsuccessful. The examinations have been carefully prioritised and are being undertaken in a sequential manner using the latest DNA techniques such as Second Generation Multiplex Plus and the more sophisticated Low Copy Number.

As I indicated in my answer of 9 March 2001, *Official Report*, column 386W, so far the test results have provided no positive results. The samples currently under examination are being processed as a Major Crime Service priority using the Low Copy Number method. The results of these tests are expected in the week beginning 23 April.

Disorderly Licensed Premises

14. **Liz Blackman:** To ask the Secretary of State for the Home Department what recent discussions he has had with the police regarding powers to close disorderly licensed premises. [156033]

15. **Helen Jones:** To ask the Secretary of State for the Home Department what recent discussions he has had with licensees and pub managers about police powers to close disorderly licensed premises. [156034]

Mr. Mike O'Brien: We have discussed on a number of recent occasions with both the Association of Chief Police Officers and the licensed trade the relevant provisions of the Criminal Justice and Police Bill.

Drugs (Tower Hamlets)

16. **Ms Oona King:** To ask the Secretary of State for the Home Department what initiatives his Department has supported in Tower Hamlets to combat the drugs problem. [156035]

Mr. Boateng: We have supported the work of the Drugs Action Team with:

some £36,000 last year and this, for support and co-ordination;

some £64,000 for this year as the Home Office contribution to supporting services for young people under Drugs Action Team planning requirements;

£180,000 over the next three years for a community development project on the Ocean Estate;

over £76,000 last year and likely the same this for arrest referral schemes;

some £580,000 this year for treatment provision, to which the Home Office has made significant contribution.

In addition, there will be a Tower Hamlets allocation—yet to be decided—from the £220 million announced for action against local drugs markets.

Business Watch Schemes

17. **Mr. Bill O'Brien:** To ask the Secretary of State for the Home Department what advice and assistance his Department offers to business watch schemes; and if he will make a statement. [156036]

Mr. Charles Clarke: We do not provide any direct formal or financial assistance to business watch schemes, and there are no central records available as to the number of such schemes. We do, of course, welcome any such initiatives to combat crime. Among the projects to assist business to reduce crime is Business Crime Check which seeks to create, maintain and promote a database of information relevant to those who wish to reduce crime against business.

The Home Department is also intending to launch later this month a Business and Retail Crime Toolkit. This is one of 22 Toolkits that are designed to help provide local crime and disorder partnerships, and the wider community, with information about different crimes and ways to help tackle them. As well as outlining the main crimes affecting business this will include a guide to best practice in combating such crimes. It will also include information on how to go about setting up a project to tackle a problem as well accessing possible sources of funding.

Severe Personality Disorders

18. **Dr. Cable:** To ask the Secretary of State for the Home Department if he will make a statement on progress made in agreeing protocols between health authorities and police on information exchange regarding individuals with severe personality disorders. [156037]

Mr. Boateng: It is vital for the effective protection of the public that there should be effective arrangements for information-sharing, between all the agencies involved, about anyone who may pose a serious risk to others because of a personality disorder or other mental disorder. In some parts of England and Wales health authorities do take part in the work of Multi-Agency Risk Panels and Public Protection Panels. In others, concerns about breaking professional codes of practice relating to patient confidentiality have prevented them from doing so. In the White Paper "Reforming the Mental Health Act", published on 20 December last year, we made it clear that new mental health legislation will create a statutory duty covering the disclosure of information between agencies in these circumstances.

Human Rights Act

19. **Mr. Paterson:** To ask the Secretary of State for the Home Department if he will make a statement on the implications of the Human Rights Act 1998 for the maintenance of law and order. [156039]

Mr. Mike O'Brien: The Human Rights Act will help the maintenance of law and order by the development of a culture of rights and responsibilities across the United Kingdom.

Robberies

20. **Mr. Stephen O'Brien:** To ask the Secretary of State for the Home Department what measures he is taking to reduce the number of robberies committed in England and Wales. [156040]

Mr. Charles Clarke: We are determined to reduce the number of robberies. That is why we have given the five metropolitan forces an additional £20 million specifically to assist their efforts in tackling robbery, and have set them the challenging target of a 14 per cent. reduction of robbery in our principal cities by March 2005. The additional funds have enabled those forces to introduce a number of new initiatives and to reinforce good practice.

My right hon. Friend the Home Secretary has also launched a separate initiative with the police and the mobile phone industry to crack down on robbery of mobile phones. We have also published a Robbery Toolkit which is available to all forces and those involved in crime reduction and community safety and will help them to work as effectively as possible in tackling robbery.

Drugs Education Programmes

21. **Mr. Clifton-Brown:** To ask the Secretary of State for the Home Department if he will make extra funds available to police forces to advise on drugs education programmes. [156042]

Mr. Charles Clarke: Drugs education in schools is a matter for the Secretary of State for Education and Employment. The police can, and do, support schools, but this must come from existing and planned provision.

Asylum Seekers

22. **Mr. Swayne:** To ask the Secretary of State for the Home Department if he will make a statement on the number of applications for political asylum in the last 12 months. [156043]

Mrs. Roche: There were 75,720 asylum applications made from March 2000 to February 2001.

25. **Mr. Blunt:** To ask the Secretary of State for the Home Department how many asylum seekers who were refused asylum were deported in 2000. [156046]

Mrs. Roche: 8,980 failed asylum seekers were removed or left voluntarily in 2000.

30. **Mr. Amess:** To ask the Secretary of State for the Home Department what recent representations he has received on the criteria for assessing asylum applications. [156051]

Mrs. Roche: My right hon. Friend the Secretary of State for the Home Department receives a number of representations on a wide range of asylum issues, including the application of the 1951 Convention criteria for determining asylum claims.

Each application for asylum is considered on its individual merits to determine whether the applicant can demonstrate a well-founded fear of persecution in a particular country for reasons of race, religion, nationality, membership of a particular social group or political opinion.

31. **Mr. Fabricant:** To ask the Secretary of State for the Home Department if he will make a statement on the numbers of asylum seekers in the United Kingdom whose addresses are not known by his Department. [156052]

Mrs. Roche: The precise number of asylum applicants whose address is not known could only be determined by examination of individual case files at disproportionate cost. However, in most cases a contact address is likely to have been given.

32. **Mr. David Atkinson:** To ask the Secretary of State for the Home Department what his policy is on choice of area for the placement of asylum seekers on the basis of local economic conditions. [156053]

Mrs. Roche: Areas that are to be used as clusters are researched centrally by the National Asylum Support Service and there is a full consultation process to enable local authorities, usually through the Regional Consortia, to have input into the decision making process. Each area is considered on its own particular merits and factors such as economic conditions are taken into account. It is not the intention to exacerbate local economic difficulties but to achieve a fair and equitable dispersal.

Sir Teddy Taylor: To ask the Secretary of State for the Home Department how many asylum seekers there are in the United Kingdom who have not yet had their application accepted. [156041]

Mrs. Roche: The number of outstanding asylum applications awaiting an initial decision at the end of February 2001 was 49,690.

Crime Reduction

23. **Mr. Miller:** To ask the Secretary of State for the Home Department if he will make a statement on the Government's strategy to reduce crime. [156044]

Mr. Charles Clarke: The Government are committed to reducing crime, tackling its causes, ensuring proper punishment of those who break the law and providing the resources necessary to tackle crime. As a result, the British Crime Survey showed that crime fell by 10 per cent. between 1997 and 1999. In addition, the number of police officers rose by 444 in the six months to September 2000.

Crime Statistics

26. **Mr. Hoyle:** To ask the Secretary of State for the Home Department if he will make a statement on the level of crime in England and Wales. [156047]

Mr. Charles Clarke: The British Crime Survey (BCS), published on 17 October, shows an overall fall of 10 per cent. in crimes measured by the BCS between 1997 and 1999. The most recently published recorded crime statistics show that in the 12 months to September 2000 there was a fall in recorded crime of 0.2 per cent. In the same period, domestic burglary fell by 10 per cent. and vehicle crime by 7 per cent.

Surrey Police Force

27. **Mr. St. Aubyn:** To ask the Secretary of State for the Home Department if he will make a statement on the funding of Surrey police force. [156048]

Mr. Charles Clarke: Under the police funding settlement for 2001–02 Surrey Police Authority will receive £111 million in central Government supported funding. It will also continue to benefit from the Crime Fighting Fund and Rural Policing Fund. Surrey will receive £2.3 million from the Crime Fighting Fund and £11,048 from the Rural Policing Fund. £220,000 has also been allocated to Surrey under the Targeted Policing Initiative.

The budget set by Surrey Police Authority for 2001–02 is £122.4 million, an increase of 2.1 per cent. (+£2.5 million) over the previous year.

In addition, commencing 1 April the Home Office has agreed to fund 75 per cent. of the cost of the new allowance of £2,000 per annum to be paid to officers serving in the Surrey Police who were appointed on or after 1 September 1994 and who are not in receipt of housing allowance.

Police Recruitment and Retention

28. **Maria Eagle:** To ask the Secretary of State for the Home Department what measures he is taking to improve recruitment and retention of police officers. [156049]

Mr. Charles Clarke: We have established the Crime Fighting Fund (CFF) to enable forces to recruit 9,000 officers over and above the number they had previously planned in the three years 2000–01 to 2002–03. Forces report that about 2,800 CFF officers were recruited in 2000–01.

We have launched the first national police recruitment advertising campaign. There had been over 129,000 responses to the campaign by 25 March 2000 and over 27,000 expressions of interest had been passed to forces.

We are reviewing entry requirements for the Police Service to ensure consistency across forces and a good supply of quality candidates.

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In order to improve retention of police officers, we have been considering how we might be able to encourage more officers who have completed 30 years' service but not reached compulsory retirement age, to remain, where they have key skills and experience. Measures to address sickness rates and medical retirement are set out in my answer to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) on 18 December 2000, *Official Report*, column 59W.

Measures to improve both retention and recruitment are:

£3,327 per annum increase in London Allowance for officers in the Metropolitan and the City of London police who joined on or after 1 September 1994 and receive no housing allowance;

provision (at a cost of £2.45 million next year) of free rail travel within a 70 mile radius of London for Metropolitan police officers;

allowances for officers serving in the south-east, as set out in my answer to the hon. Member for Banbury (Mr. Baldry) on 12 March 2001, *Official Report*, column 485W;

the Government's Starter Homes Initiative under which £250 million will be made available over the next three years. Bids covering a number of police force areas have proceeded to Stage 2 of the bidding round.

Violence against Women

29. **Mrs. Brinton:** To ask the Secretary of State for the Home Department if he will make a statement on his plans to combat violence against women. [156050]

Mr. Charles Clarke: The Government are determined to reduce all crimes of violence including violence against women. We set out our strategy for doing so in "fighting violent crime together: an action plan" which was published in January.

In support of the action plan, we announced on 23 March an extra £3.7 million to fund a further 24 projects addressing violence against women. This funding is on top of the £7 million announced last summer which provides funding for 34 projects as part of our Crime Reduction Programme. These projects are helping to identify what works best in tackling violence against women, including domestic violence.

In addition to the increased funding, our programme against domestic violence includes, within the last year, guidance to agencies dealing with domestic violence, along with specific guidance to health service professionals; a Home Office circular to the police to build on the progress made in addressing domestic violence and reducing repeat victimisation; inclusion of this issue within police Best Value performance indicators; £120 million additional capital funding for a new Safer Communities Supported Housing Fund for specified vulnerable groups, which includes the survivors of domestic violence; and increased funding for Victim Support.

We are also working with the Association of Chief Police Officers on a circular to the police on the effective use of provisions in the Protection from Harassment Act 1997 with particular regard to domestic violence and violence against women; we are evaluating probation service domestic violence perpetrator programmes; developing a domestic violence toolkit as part of the programme of toolkits on the crime reduction website; and we shall be including a special module on domestic violence as part of the British Crime Survey 2001.

Prison Education Service

35. **Mr. Sheerman:** To ask the Secretary of State for the Home Department what steps he is taking to improve the prison education service. [156056]

Mr. Boateng: I refer my hon. Friend to the reply given to a question from my hon. Friend the Member for Stockport (Ms Coffey) on 14 February 2001, *Official Report*, column 172W.

Local Elections

36. **Helen Jackson:** To ask the Secretary of State for the Home Department what plans he has to extend the pilot schemes on alternative voting arrangements for the local elections. [156057]

Mr. Mike O'Brien: None at present. After only one round of pilots we believe that there is insufficient evidence on which to base an extension of any piloted arrangements. Notices of the local elections for 3 May have now been issued but we look forward to further pilot schemes taking place in the future.

Closed Circuit Television (Nottingham)

37. **Mr. Heppell:** To ask the Secretary of State for the Home Department what assessment has been made of the benefits of CCTV in the suppression of crime in Nottingham. [156058]

Mr. Charles Clarke: Crime Concern have recently published a City-wide strategy for Closed Circuit Television (CCTV) for the Nottingham Community Safety and Youth Justice Partnership. This report is being used to assess the effectiveness of current CCTV systems installed in Nottingham and to decide future deployment.

More generally, police operational experience and general research studies show that CCTV has considerable crime reduction and detection potential, particularly when used as part of a wider strategy.

Schemes funded under the Crime Reduction Programme CCTV Initiative will be evaluated to build up the knowledge base of what works best in what context. Crime and Disorder Reduction Partnerships will also be evaluating schemes locally.

Police Suspensions

38. **Mr. Mackinlay:** To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* duration and *(b)* scale of police officers' suspensions, and the costs of suspensions and subsequent out-of-court settlements made in compensation. [156059]

Mr. Charles Clarke: This information is not held centrally and it could be obtained only at disproportionate cost.

Alcohol Misuse (Young People)

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will make a statement on the misuse of alcohol by young people. [156045]

Mr. Mike O'Brien: We are taking decisive action to minimise the impact of alcohol on young people's lives. In the Criminal Justice and Police Bill, we have sought to introduce provisions placing a positive duty on licensees not to sell alcohol to minors and by placing test purchasing of alcohol on a statutory footing for the first time.

MOT Certificates

Mr. Goggins: To ask the Secretary of State for the Home Department what plans he has to review the penalties for failing to obtain a valid MoT certificate. [156055]

Mr. Charles Clarke: The maximum penalty for the offence of driving a motor vehicle without a valid Ministry of Transport (MoT) certificate under section 47 of the Road Traffic Act 1988 is a fine of up to £2,500 in the case of a vehicle adapted to carry more than eight passengers and £1,000 for any other motor vehicle. The maximum penalty for the related, but more serious offence, of forgery of an MoT certificate, under section 173 of the Road Traffic Act 1988, is two years imprisonment. We are conducting a review of Road Traffic Penalties and have now received responses to our consultation paper published last December. In relation to the fraud offence the consultation paper proposes that the existing anomaly whereby imprisonment is not available where the offence is tried in the magistrates court is removed so that a sentence of imprisonment of up to six months is available for summary disposal of these cases. We made no express proposals in respect of the driving without a valid MoT certificate offence but the review continues and we will consider any representations received.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the nature of the partial declassification of the Schengen documentation. [156974]

Mr. Charles Clarke: The rules on the classification of Council documents, including Schengen documents, are set out in Council Decision 2000/527/EC of 14 August 2000. The vast majority of Schengen documents are categorised as "limite" and are not therefore classified within the meaning of the Decision. The Council considers it necessary to classify certain documents containing sensitive operational information. However, even classified documents are subject to the provisions of Council Decision 93/731/EC of 20 December 1993 on public access to Council documents. Any request for access to a classified document is considered on its merits. A decision to refuse access to classified documents is ultimately subject to review by the Court of Justice in Luxembourg.

Police

Mr. Hilary Benn: To ask the Secretary of State for the Home Department for each police force area in England, what was the force's budget in *(a)* cash terms and *(b)* real terms for each year since 1990. [156173]

Mr. Charles Clarke: The information is set out in the table.

Police force net expenditure (England) and percentage change in cash and real terms, 1990–91 to 2000–01

	1990–91			*1991–92*			*1992–93*		
		Percentage change			*Percentage change*			*Percentage change*	
	£000	*cash terms*	*real terms*	*£000*	*cash terms*	*real terms*	*£000*	*cash terms*	*real terms*
Avon and Somerset	107,282	10.9	2.9	116,004	8.1	1.9	127,928	10.3	6.8
Bedfordshire	36,053	11.2	3.1	40,027	11.0	4.6	45,036	12.5	9.0
Cambridgeshire	43,173	11.2	3.1	48,001	11.2	4.8	51,126	6.5	3.1
Cheshire	63,620	7.6	(0.2)	68,496	7.7	1.4	74,058	8.1	4.7
City of London	38,288	7.5	(0.3)	41,919	9.5	3.1	45,151	7.7	4.3
Cleveland	52,889	11.3	3.2	58,690	11.0	4.5	62,269	6.1	2.7
Cumbria	41,312	13.4	5.2	46,548	12.7	6.2	50,736	9.0	5.6
Derbyshire	62,086	4.2	(3.3)	66,686	7.4	1.2	76,554	14.8	11.2
Devon and Cornwall	107,378	13.0	4.8	119,619	11.4	5.0	129,634	8.4	4.9
Dorset	50,150	15.0	6.7	54,239	8.2	1.9	57,639	6.3	2.9
Durham	45,673	10.2	2.2	49,517	8.4	2.1	53,853	8.8	5.3
Essex	106,902	15.7	7.3	119,118	11.4	5.0	129,559	8.8	5.3
Gloucestershire	41,526	13.3	5.1	46,370	11.7	5.2	49,361	6.5	3.1
Greater Manchester	236,520	9.6	1.6	256,562	8.5	2.2	281,761	9.8	6.4
Hampshire	114,172	12.5	4.4	127,841	12.0	5.5	142,133	11.2	7.7
Hertfordshire	59,681	13.7	5.4	63,633	6.6	0.5	70,029	10.1	6.6
Humberside	71,151	10.6	2.6	78,591	10.5	4.1	86,795	10.4	6.9
Kent	107,675	10.2	2.2	128,118	19.0	12.1	136,307	6.4	3.0
Lancashire	114,195	13.7	5.5	127,076	11.3	4.8	132,092	3.9	0.7
Leicestershire	63,597	9.9	2.0	70,562	11.0	4.5	75,262	6.7	3.3
Lincolnshire	43,025	13.4	5.2	48,704	13.2	6.6	53,039	8.9	5.5
Merseyside	165,167	10.1	2.1	182,680	10.6	4.2	193,410	5.9	2.5
Metropolitan police	1,273,265	18.2	9.6	1,420,575	11.6	5.1	1,513,654	6.6	3.2
Norfolk	49,106	13.4	5.2	56,134	14.3	7.7	60,658	8.1	4.6
Northamptonshire	41,997	10.6	2.5	47,081	12.1	5.6	52,575	11.7	8.1
Northumbria	124,873	11.1	3.0	139,999	12.1	5.6	145,882	4.2	0.9
North Yorkshire	48,995	10.5	2.5	53,161	8.5	2.2	60,123	13.1	9.5
Nottinghamshire	79,305	14.1	5.9	85,209	7.4	1.2	92,856	9.0	5.5
South Yorkshire	101,200	12.0	3.9	108,676	7.4	1.2	122,395	12.6	9.1
Staffordshire	76,903	14.8	6.5	84,322	9.6	3.3	90,497	7.3	3.9
Suffolk	44,755	12.1	4.0	49,246	10.0	3.7	52,052	5.7	2.4

Police force net expenditure (England) and percentage change in cash and real terms, 1990–91 to 2000–01

	1990–91			1991–92			1992–93		
		Percentage change			Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms	£000	cash terms	real terms
Surrey	59,126	11.2	3.1	64,426	9.0	2.7	71,426	10.9	7.4
Sussex	94,916	10.5	2.5	108,489	14.3	7.7	117,529	8.3	4.9
Thames Valley	n/a	n/a	n/a	156,072	n/a	n/a	165,443	6.0	2.7
Warwickshire	37,963	18.5	9.9	41,479	9.3	2.9	44,128	6.4	3.0
West Mercia	70,480	11.8	3.7	79,836	13.3	6.7	84,508	5.9	2.5
West Midlands	231,478	10.7	2.7	254,477	9.9	3.6	188,798	13.5	9.9
West Yorkshire	190,733	13.0	4.8	206,169	8.1	1.8	215,727	4.6	1.3
Wiltshire	41,547	15.3	7.0	46,907	12.9	6.4	51,912	10.7	7.2
Total (England)	4,308,157	9.2	1.3	4,931,259	14.5	7.8	5,323,895	8.0	4.6

	1993–94			1994–95			1995–96		
		Percentage change			Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms	£000	cash terms	real terms
Avon and Somerset	134,323	5.0	2.3	141,105	5.0	3.6	141,091	0.0	−2.8
Bedfordshire	48,666	8.1	5.3	51,514	5.9	4.4	54,533	5.9	2.9
Cambridgeshire	56,879	11.3	8.4	58,553	2.9	1.5	60,917	4.0	1.1
Cheshire	79,971	8.0	5.2	82,804	3.5	2.1	86,786	4.8	1.9
City of London	50,920	12.8	9.9	52,185	2.5	1.1	55,851	7.0	4.0
Cleveland	66,289	6.5	3.7	69,007	4.1	2.7	67,861	−1.7	−4.4
Cumbria	51,699	1.9	−0.7	53,981	4.4	3.0	53,196	−1.5	−4.2
Derbyshire	78,964	3.1	0.5	84,362	6.8	5.4	86,012	2.0	−0.9
Devon and Cornwall	137,578	6.1	3.4	140,830	2.4	0.9	144,513	2.6	−0.3
Dorset	59,345	3.0	0.3	66,285	11.7	10.1	63,040	−4.9	−7.6
Durham	57,825	7.4	4.6	59,237	2.4	1.0	62,432	5.4	2.4
Essex	136,952	5.7	3.0	n/a	n/a	n/a	n/a	n/a	n/a
Gloucestershire	51,298	3.9	1.2	55,006	7.2	5.7	53,815	−2.2	−4.9
Greater Manchester	302,885	7.5	4.7	319,467	5.5	4.0	329,893	3.3	0.4
Hampshire	146,008	2.7	0.1	155,257	6.3	4.9	163,085	5.0	2.1
Hertfordshire	74,029	5.7	3.0	84,435	14.1	12.5	87,825	4.0	1.1
Humberside	90,194	3.9	1.2	92,365	2.4	1.0	96,418	4.4	1.5
Kent	142,749	4.7	2.0	153,757	7.7	6.2	155,223	1.0	−1.9
Lancashire	142,518	7.9	5.1	144,420	1.3	−0.1	151,646	5.0	2.1
Leicestershire	78,201	3.9	1.2	81,166	3.8	2.4	86,855	7.0	4.0
Lincolnshire	55,645	4.9	2.2	n/a	n/a	n/a	58,974	n/a	n/a
Merseyside	207,217	7.1	4.4	215,139	3.8	2.4	219,547	2.0	−0.8
Metropolitan police	1,545,265	2.1	−0.6	1,581,975	2.4	1.0	1,635,386	3.4	0.5
Norfolk	63,907	5.4	2.6	68,392	7.0	5.5	70,233	2.7	−0.2
Northamptonshire	55,136	4.9	2.2	59,983	8.8	7.3	56,742	−5.4	−8.0
Northumbria	158,758	8.8	6.0	174,700	10.0	8.5	177,760	1.8	−1.1
North Yorkshire	62,805	4.5	1.8	63,166	0.6	−0.8	62,846	−0.5	−3.3
Nottinghamshire	98,224	5.8	3.0	105,645	7.6	6.1	106,334	0.7	−2.2
South Yorkshire	128,102	4.7	2.0	136,352	6.4	5.0	143,113	5.0	2.0
Staffordshire	96,404	6.5	3.8	99,778	3.5	2.1	98,286	−1.5	−4.2
Suffolk	55,237	6.1	3.4	56,751	2.7	1.3	55,724	−1.8	−4.6
Surrey	75,322	5.5	2.7	84,371	12.0	10.5	83,000	−1.6	−4.4
Sussex	122,444	4.2	1.5	130,124	6.3	4.8	137,785	5.9	2.9
Thames Valley	178,169	7.7	4.9	190,492	6.9	5.4	193,124	1.4	−1.5
Warwickshire	47,139	6.8	4.1	49,517	5.0	3.6	47,553	−4.0	−6.7
West Mercia	91,372	8.1	5.3	98,032	7.3	5.8	95,815	−2.3	−5.0
West Midlands	296,973	2.8	0.2	311,337	4.8	3.4	329,194	5.7	2.8
West Yorkshire	224,987	4.3	1.6	234,588	4.3	2.8	237,084	1.1	−1.8
Wiltshire	54,272	4.5	1.8	59,182	9.0	7.5	54,456	−8.0	−10.6
Total (England)	5,604,671	5.3	2.6	5,867,013	4.7	3.2	6,008,912	2.4	−0.4

	1996–97			1997–98			1998–99		
		Percentage change			Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms	£000	cash terms	real terms
Avon and Somerset	152,087	7.8	4.4	152,673	0.4	−2.4	162,726	6.6	3.6
Bedfordshire	56,627	3.8	0.6	58,570	3.4	0.6	61,778	5.5	2.5
Cambridgeshire	65,024	6.7	3.4	68,681	5.6	2.7	73,432	6.9	3.9
Cheshire	94,177	8.5	5.1	104,005	10.4	7.4	107,093	3.0	0.1
City of London	57,317	2.6	−0.6	57,893	1.0	−1.8	60,350	4.2	1.4

	1996–97			1997–98			1998–99		
		Percentage change			Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms	£000	cash terms	real terms
Cleveland	73,108	7.7	4.4	75,426	3.2	0.3	81,295	7.8	4.8
Cumbria	56,856	6.9	3.5	61,709	8.5	5.5	62,532	1.3	−1.5
Derbyshire	90,420	5.1	1.8	95,641	5.8	2.9	100,064	4.6	1.7
Devon and Cornwall	150,392	4.1	0.8	155,435	3.4	0.5	166,330	7.0	4.0
Dorset	67,831	7.6	4.2	69,727	2.8	0.0	73,117	4.9	2.0
Durham	68,035	9.0	5.6	75,166	10.5	7.4	74,673	−0.7	−3.4
Essex	151,412	n/a	n/a	157,487	4.0	1.1	156,822	−0.4	−3.2
Gloucestershire	58,420	8.6	5.2	58,633	0.4	−2.4	62,862	7.2	4.2
Greater Manchester	341,170	3.4	0.2	353,319	3.6	0.7	354,171	0.2	−2.5
Hampshire	172,845	6.0	2.7	180,791	4.6	1.7	186,661	3.2	0.4
Hertfordshire	88,863	1.2	−2.0	93,011	4.7	1.8	95,068	2.2	−0.6
Humberside	99,719	3.4	0.2	106,220	6.5	3.6	112,571	6.0	3.0
Kent	161,625	4.1	0.9	174,211	7.8	4.8	175,577	0.8	−2.0
Lancashire	161,865	6.7	3.4	169,275	4.6	1.7	177,310	4.7	1.8
Leicestershire	92,853	6.9	3.6	98,789	6.4	3.5	102,790	4.1	1.2
Lincolnshire	61,508	4.3	1.0	66,184	7.6	4.6	66,664	0.7	−2.1
Merseyside	221,172	0.7	−2.4	224,327	1.4	−1.4	240,267	7.1	4.1
Metropolitan police	1,683,181	2.9	−0.3	1,676,617	−0.4	−3.1	1,716,425	2.4	−0.5
Norfolk	75,547	7.6	4.2	80,222	6.2	3.3	80,543	0.4	−2.4
Northamptonshire	59,252	4.4	1.2	64,605	9.0	6.0	67,057	3.8	0.9
Northumbria	186,410	4.9	1.6	195,092	4.7	1.8	205,270	5.2	2.3
North Yorkshire	67,042	6.7	3.4	71,840	7.2	4.2	75,344	4.9	2.0
Nottinghamshire	113,591	6.8	3.5	120,556	6.1	3.2	127,018	5.4	2.4
South Yorkshire	150,949	5.5	2.2	166,027	10.0	7.0	167,159	0.7	−2.1
Staffordshire	107,832	9.7	6.3	110,264	2.3	−0.6	116,231	5.4	2.5
Suffolk	60,963	9.4	6.0	63,676	4.5	1.6	66,096	3.8	0.9
Surrey	85,345	2.8	−0.4	90,976	6.6	3.7	91,425	0.5	−2.3
Sussex	150,626	9.3	5.9	157,631	4.7	1.8	161,847	2.7	−0.2
Thames Valley	201,397	4.3	1.0	210,333	4.4	1.6	209,675	−0.3	−3.1
Warwickshire	47,686	0.3	−2.8	51,003	7.0	4.0	52,015	2.0	−0.8
West Mercia	102,078	6.5	3.2	107,788	5.6	2.7	113,755	5.5	2.6
West Midlands	337,992	2.7	−0.5	360,129	6.5	3.6	368,608	2.4	−0.5
West Yorkshire	265,233	11.9	8.4	281,745	6.2	3.3	277,994	−1.3	−4.1
Wiltshire	59,993	10.2	6.7	58,535	−2.4	−5.1	68,811	17.6	14.3
Total (England)	6,298,443	4.8	1.6	6,524,212	3.6	0.7	6,719,426	3.0	0.1

	1999–2000			2000–01		
		Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms
Avon and Somerset	174,336	7.1	4.7	181,210	3.9	2.2
Bedfordshire	63,611	3.0	0.6	66,426	4.4	2.6
Cambridgeshire	75,052	2.2	−0.1	79,244	5.6	3.8
Cheshire	113,280	5.8	3.3	114,576	1.1	−0.6
City of London	57,852	−4.1	−6.3	58,947	1.9	0.1
Cleveland	85,256	4.9	2.5	85,600	0.4	−1.3
Cumbria	64,786	3.6	1.2	67,400	4.0	2.2
Derbyshire	105,590	5.5	3.1	110,819	5.0	3.1
Devon and Cornwall	175,055	5.2	2.8	182,873	4.5	2.7
Dorset	76,957	5.3	2.8	80,996	5.2	3.4
Durham	79,662	6.7	4.2	85,775	7.7	5.8
Essex	167,969	7.1	4.6	184,485	9.8	7.9
Gloucestershire	65,755	4.6	2.2	68,695	4.5	2.7
Greater Manchester	374,804	5.8	3.4	400,004	6.7	4.9
Hampshire	197,483	5.8	3.4	202,527	2.6	0.8
Hertfordshire	104,448	9.9	7.3	120,945	15.8	13.8
Humberside	113,944	1.2	−1.1	119,900	5.2	3.4
Kent	186,261	6.1	3.6	193,127	3.7	1.9
Lancashire	182,004	2.6	0.3	190,181	4.5	2.7
Leicestershire	107,262	4.4	1.9	110,150	2.7	0.9
Lincolnshire	69,378	4.1	1.7	72,725	4.8	3.0
Merseyside	248,414	3.4	1.0	257,114	3.5	1.7
Metropolitan police	1,838,888	7.1	4.7	1,837,571	−0.1	−1.8
Norfolk	87,182	8.2	5.7	91,514	5.0	3.2
Northamptonshire	69,148	3.1	0.7	73,076	5.7	3.9
Northumbria	212,704	3.6	1.2	218,387	2.7	0.9
North Yorkshire	78,178	3.8	1.4	83,750	7.1	5.3

	1999–2000			2000–01		
		Percentage change			Percentage change	
	£000	cash terms	real terms	£000	cash terms	real terms
Nottinghamshire	129,465	1.9	–0.4	134,302	3.7	2.0
South Yorkshire	176,007	5.3	2.9	181,054	2.9	1.1
Staffordshire	127,000	9.3	6.7	126,964	0.0	–1.7
Suffolk	70,506	6.7	4.2	74,061	5.0	3.2
Surrey	100,094	9.5	7.0	120,130	20.0	18.0
Sussex	165,564	2.3	–0.1	172,513	4.2	2.4
Thames Valley	227,020	8.3	5.8	236,952	4.4	2.6
Warwickshire	55,164	6.1	3.6	59,011	7.0	5.1
West Mercia	111,446	–2.0	–4.3	125,700	12.8	10.9
West Midlands	381,484	3.5	1.1	395,102	3.6	1.8
West Yorkshire	286,088	2.9	0.5	304,125	6.3	4.5
Wiltshire	69,823	1.5	–0.9	71,981	3.1	1.3
Total (England)	7,074,920	5.3	2.9	7,339,912	3.7	2.0

Notes:
1994–95 figures for Lincolnshire and Essex and 1995–96 figures for Essex were not available. The compilers adjusted the grand total for comparison.
From 1996–97, expenditure was recorded net of police loan charges grant on pre-April 1990 debt charges.
Loan charge grant for 1993–94 to 1995–96 has been deducted from forces' expenditure for comparative purposes.
Deductions for loan charge grants have been made at the grand total level only for 1990–91 to 1992–93 (ca. £30 million per annum).
Percentage changes have been calculated in real terms at 1999–2000 prices using GDP deflators (March 2001).
Source:
CIPFA Police Statistics: Actuals except for 2000–01 (estimates).

Damilola Taylor

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the level of compensation to the parents of Damilola Taylor; and if he will review the guidance relating to levels of compensation. [157440]

Mr. Charles Clarke: Under the terms of the Criminal Injuries Compensation Scheme, the determination of individual applications is entirely a matter for the Criminal Injuries Compensation Authority and the complementary Criminal Injuries Compensation Appeals Panel. Ministers do not comment on, or intervene in, decisions in individual cases.

Under the terms of the Scheme, each qualifying relative of a murder victim receives a fixed fatal award (at level 10 of the tariff, or at level 13 if there is only one eligible claimant). Reasonable funeral expenses are also met, and additional (and sometimes very substantial) compensation is paid where there is financial dependency on the victim, or to replace the services of a murdered parent.

Contrary to the impression conveyed by some recent press coverage of this tragic case, the fixed fatal award does not put a 'value' on the life of a victim. No sum of money could reasonably do that. The fatal award is in the nature of a gesture of condolence on behalf of society. And the award is in fact more generous than the amount payable under the fatal accidents legislation.

We have just completed a thorough review of the Scheme based on the findings from a public consultation exercise that was launched in 1999. On 1 April 2001, having secured the necessary parliamentary approval in March, we brought in a wide-ranging package of improvements, worth £20 million in a full year, to what is already probably by far the most generous scheme in the world.

Responses to the consultation exercise were evenly split on whether there should be any increase to the fixed fatal award. On balance, we decided not to recommend changes to the tariff level at which the fatal award is fixed, although the actual amount payable went up by 10 per cent. from 1 April as a result of a general up-rating of most of the tariff bands.

Wrongful Convictions

Mrs. Ellman: To ask the Secretary of State for the Home Department how many cases are awaiting a decision by the *(a)* Criminal Cases Review Commission and *(b)* Appeal Court in respect of wrongful conviction. [157444]

Mr. Charles Clarke: I understand that at the end of February 2001, the latest date for which figures are available, 1,100 cases were awaiting a decision by the Criminal Cases Review Commission.

Forced Marriages

Ms Moran: To ask the Secretary of State for the Home Department what action he has taken as a result of the recent report on forced marriages. [157548]

Mr. Mike O'Brien: 'A Choice by Right', the report of the working group on forced marriage, was published in June last year. It made a number of recommendations for tackling the problem of forced marriage.

Since then we have made progress on a number of fronts. Together with the Foreign and Commonwealth Office we have developed and published a Joint Action Plan to address the overseas dimension of forced marriage. This includes gaining a better understanding of the problem, forging links with agencies overseas and looking at our own procedures for handling these cases.

We are working with colleagues from other Government Departments and non-governmental organisations to develop a package of care for the victims of forced marriage—to give them a real choice and enable them to take appropriate action to address, or escape, the problem.

The work is being overseen by the Inter-departmental Group on Violence against Women and Domestic Violence. The All-Party Parliamentary Group on Domestic Violence have also agreed to take this issue within its remit. Many of the protocols and procedures aimed at tackling domestic violence are also appropriate for dealing with forced marriage.

I hope to be able to make a fuller announcement this month.

Freemasons (Police Service)

Mr. John M. Taylor: To ask the Secretary of State for the Home Department when he plans to make a decision on the compulsory registration of freemasonry in the police service. [157152]

Mr. Charles Clarke: My right hon. Friend the Home Secretary will make a decision as soon as possible following his consideration of the outcome of consultation with the police service about ways of achieving an acceptable rate of registration.

Criminal Records Bureau

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of *(a)* the number of requests for checks, *(b)* the income from fees and *(c)* the expenditure associated with running the Criminal Records Bureau in the first two years of operation; and if he will make a statement. [157172]

Mr. Charles Clarke *[holding answer 6 April 2001]:* The Criminal Records Bureau will begin to issue Standard and Enhanced Disclosures later in the current financial year. It is anticipated that demand will be at a low level initially, and will build up. Basic disclosures will not begin to be issued before the 2002–03 financial year. Cost and business projections have been based on the following levels of demand during this and the next financial year:

	2001–02	*2002–03*
Enhanced disclosures	1,216,751	3,182,690
Standard disclosures	109,526	296,590
Basic disclosures	0	2,786,350

Estimated total revenues, and the estimated total cost of operating the Bureau, during the same two years are as follows:

£

	2001–02	*2002–03*
Estimated total revenues	12,655,727	63,430,902
Estimated total cost	48,277,786	80,425,047

On the best information available, we anticipate that, despite the low level of income initially, progressively higher income will enable recovery of the full cost of establishing and operating this new service to be achieved within a period of five years.

Lords-Lieutenant

Mr. Hoyle: To ask the Secretary of State for the Home Department how many deputy lords-lieutenant are members of political parties, broken down by party. [157716]

Mr. Mike O'Brien: We do not hold this information. The deputy lieutenants of a county or area are appointed by the Lord-Lieutenant. Appointments are not based on political affiliation, but on place of residence and service to the community.

Former New Towns (Police Stations)

Mr. Hoyle: To ask the Secretary of State for the Home Department what assistance is provided for former new towns with a requirement for new police stations. [157702]

Mr. Charles Clarke: Police resources are allocated between all 43 forces in England and Wales according to a formula that allocates central Government supported funding to provide a standard level of service. The formula is weighted according to population, so that forces with larger populations receive more money. The socio-demographic nature of the population is also taken into account. Decisions relating to the location of police stations are operational matters for the chief constable of the force concerned.

Lay Magistrates

Mr. David Taylor: To ask the Secretary of State for the Home Department if he will make a statement on the role of lay magistrates in reducing average time delays for dealing with persistent young offenders. [157565]

Mr. Charles Clarke: We welcome the valuable contribution that lay magistrates are making to reducing the time from arrest to sentence for persistent young offenders. The overall average has been cut from 142 days in 1996 to 89 days by January this year; and cases sentenced in the magistrates courts averaged 82 days. This represents significant progress thanks to the commitment, hard work and co-operation of all the agencies involved in youth justice.

Police Recruits

Mr. Salter: To ask the Secretary of State for the Home Department how many new police recruits there were in *(a)* the Thames Valley Police Force, *(b)* the Hertfordshire Constabulary, *(c)* the Essex Police Force, *(d)* the Kent County Constabulary, *(e)* the Surrey Police Force, *(f)* the Hampshire Constabulary, *(g)* the Sussex Police Force and *(h)* England and Wales in the period *(i)* 1 May 1994 to 30 April 1995, (ii) 1 May 1995 to 30 April 1996, (iii) 1 May 1996 to 30 April 1997, (iv) 1 May 1997 to 30 April 1998, (v) 1 May 1998 to 30 April 1999, (vi) 1 May 1999 to 30 April 2000 and (vii) since 1 May 2000. [151120]

Mr. Charles Clarke: Recruitment figures for constable recruits are available from January 1994 to January 2001, and are given in the table.

	Essex	Hampshire	Hertfordshire	Kent	Surrey	Sussex	Thames Valley	England and Wales
January 1994 to March 1995[1]	115	129	91	110	98	116	161	6,386
April 1995 to March 1996	106	263	83	152	47	326	31	5,963
April 1996 to March 1997	194	357	133	291	60	167	201	6,429
April 1997 to March 1997	119	201	71	119	116	135	273	6,437
April 1998 to March 1999	95	117	73	120	138	99	152	5,292
April 1999 to March 2000	91	148	154	173	183	98	190	4,476
April 2000 to January 2001	194	191	104	258	216	165	208	6,528

[1] Before April 1995 information was collated on a calendar year basis. The data cover the transitional 15 month period.
[2] The figures are as now provided in the Home Office Statistical Bulletin on Police Service Strength. Numbers are mainly new recruits, but also include those who have previously been police constables in non-Home Office forces and any who may have previously left and subsequently rejoined the service.

Drug-related Crime

Mr. Pond: To ask the Secretary of State for the Home Department what new funding will be made available to tackle drug-related crime. [153893]

Mr. Straw: In addition to the £220 million announced by my right hon. Friend the Chancellor of the Exchequer in the Budget, new funding of £50 million will also be made available over the two years, 2002–03 to 2003–04, to accelerate the programme to extend drug testing within the criminal justice system. The initial pilot phase of the programme is due to start in the spring.

Evidence of the effectiveness of these pilots will inform final decisions on where best to spend this new funding within the criminal justice system.

AGRICULTURE, FISHERIES AND FOOD

Logos and Branding

Mr. Tyrie: To ask the Minister of Agriculture, Fisheries and Food how much has been spent by his Department on departmental and agency logos and associated branding since 1 May 1997. [152647]

Ms Quin: The amount spent by my Department on logos or associated branding since 1 May 1997 is £25,773. Information relating to agencies is not held centrally and could be provided only at disproportionate cost.

Animal Disease (Planning)

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food what arrangements his Department makes for conducting emergency planning exercises in relation to the possible outbreak of infectious diseases among animals; if such exercises *(a)* involve liaising with the (i) police and (ii) the armed forces; and are conducted periodically; by what grade of civil servant such exercises are authorised and supervised; if the type of the diseases concerned is specified to the suppliers in the case of materials to be used in connection with a real outbreak; if he will list the emergency planning exercises that have been conducted in the last two years; and if he will make a statement. [155927]

Ms Quin *[holding answer 27 March 2001]:* MAFF regularly holds emergency exercises which may involve liaison with the police, but not the armed forces. Such exercises are generally authorised and supervised by the Divisional Veterinary Manager or regionally, by a Veterinary Head of Service.

Animal Health Offices are required regularly to update their local contingency plans. This includes contacting potential suppliers of materials and services to be used in the event of an outbreak. The reason for any such inquiry should be explained fully. Detailed information on emergency exercises held over the last two years is not held centrally and can be collected only at disproportionate cost. However, between 1994 and 1999, MAFF carried out 84 separate exercises aimed at planning to control notifiable animal diseases.

Foot and Mouth

Mr. Stephen O'Brien: To ask the Minister of Agriculture, Fisheries and Food when, and in what locations, *(a)* the epidemic strain of foot and mouth virus associated with the current outbreak and *(b)* its close relatives have been recorded in previous outbreaks. [155837]

Ms Quin *[holding answer 27 March 2001]:* The pandemic serotype O virus (now named the pan-Asian strain) was first isolated in northern India in 1990. Since then it has been found in Saudi Arabia, Turkey, Greece, Bulgaria, Iran, Iraq, Syria, Israel, Lebanon, Jordan and the Arabian peninsula, Nepal Bhutan, the People's Republic of China, Myanmar, Vietnam, Cambodia, Thailand, Malaysia, Laos, Korea, Japan and South Africa.

Mr. Stephen O'Brien: To ask the Minister of Agriculture, Fisheries and Food in relation to the current foot and mouth epidemic, to what level of discrimination the specific epidemic strain of the Pan-Asia O virus has been identified; and what the strain classification is. [155850]

Ms Quin *[holding answer 27 March 2001]:* Analysis carried out by the Foot and Mouth Reference Laboratory in Pirbright has identified the strain responsible for the current outbreak as FMD virus serotype O. It was identified as the Pan-Asian using nucleotide sequence data obtained for the complete VP1 gene. The same strain has been responsible for the outbreaks in different parts of Great Britain, and for those in the Netherlands and Northern Ireland.

Mr. Fabricant: To ask the Minister of Agriculture, Fisheries and Food what average time it takes to answer callers to the foot and mouth helplines; and how many callers *(a)* were disconnected and *(b)* hung up before their call was answered. [156214]

Ms Quin *[holding answer 30 March 2001]:* During the period 22 February 2001 to 29 March 2001, 60,979 telephone calls to the foot and mouth disease helpline were answered successfully. The average call answer time was 35 seconds.

During the period 22 February 2001 to 25 March 2001, 2,140 calls were disconnected before entering the queue while 9,051 calls were abandoned while held in the queue.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food how many vets from each EU member state he has employed since the start of the outbreak of foot and mouth. [156536]

Ms Quin *[holding answer 2 April 2001]:* This Department is receiving assistance from EU veterinarians, who receive travel and subsistence expenses from this Department but are employed by their respective Governments. We are also liaising with other member states and it is likely that veterinarians from these countries will soon join in the eradication of FMD. The following EU member states have already supplied vets.

Member states	*Number*
ROI	9
Germany	2
Denmark	3
Holland	2
Finland	3
France	6

In addition this Department is in the process of appointing Temporary Veterinary Inspectors (TVIs) from the following EU member states:

Temporary Veterinary Inspectors	*Number*
Holland	3
France	1
Greece	1
Portugal	1
Denmark	1
Austria	1
Italy	2
ROI	3

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what support he will provide to farmers to manage lambing on split sites. [157393]

Mr. Morley *[holding answer 6 April 2001]:* Farmers should, first of all, do everything possible to look after their sheep where they are. We have produced advice to help with the welfare issue. If this is not possible, the sheep may be moved under the available welfare movement schemes. Finally, when all other options have been explored, there is the Livestock Welfare (Disposal) Scheme.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to speed up the process of slaughtering livestock under the animal welfare scheme for farmers in Lancashire. [157163]

Ms Quin *[holding answer 6 April 2001]:* The scheme has been slow to start due to the need to secure landfill disposal, as all bar one rendering plant is needed for what must be our top priority, the compulsory cull to control disease. We have arranged extra on-farm slaughters for acute welfare cases and will continue to do so, but cases must be prioritised. I can assure my hon. Friend that we are doing everything we can to speed the movement of livestock to slaughter through this scheme, under which we have now slaughtered over 19,500 animals.

Mrs. Gilroy: To ask the Minister of Agriculture, Fisheries and Food from which organisations he has *(a)* sought and *(b)* received advice about animal welfare in respect of the options available to the Government for containing the outbreak of foot and mouth disease. [157224]

Mr. Morley: All the major welfare organisations, including the Farm Animal Welfare Council, have offered us advice on welfare aspects of the foot and mouth disease outbreak. I have also held a meeting, at my request, with representatives of the RSPCA, Compassion in World Farming and the Humane Slaughter Association.

Mr. Fabricant: To ask the Minister of Agriculture, Fisheries and Food if he will make arrangements for local veterinary inspectors' expenses arising from the welfare movement and welfare disposal schemes to be paid direct by his Department. [156921]

Mr. Morley: The expenses of LVIs undertaking inspections under the livestock welfare (disposal) scheme are met by the Department. The welfare movement schemes are supported by declarations given by the applicant's private veterinary surgeon.

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the consequential losses made by businesses in Gloucestershire due to *(a)* foot and mouth disease and *(b)* the cancelling of the Cheltenham Festival; and if he will make a statement. [154310]

Mr. Morley *[holding answer 19 March 2001]:* The taskforce chaired by my right hon. Friend the Minister for the Environment is considering the economic impact of foot and mouth disease generally, and the Department of the Environment, Transport and the Regions is collecting information from all parts of the country. We are aware that the cancellation of the Cheltenham Festival and other sporting events is having very serious consequences for many businesses. The measures announced by my right hon. Friend the Minister for the Environment on 20 March are designed to alleviate these effects.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what response he made to the letter from Mr. Lawrence of Ciel Logistics in May 2000 concerning the health risks associated with consignments of bush meat arriving at Heathrow from Africa. [155560]

Ms Quin *[holding answer 26 March 2001]:* None; the letter was passed to Her Majesty's Customs and Excise for reply. I replied on 28 March to a letter sent to me on 11 March 2001 by Mr. Lawrence.

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food (1) what discussions he has had with Commissioner Byrne and Commissioner Fischler on animal health, in particular the risk from imports from countries with infected animals; [156278]

(2) when he will reply to the question tabled by the hon. Member for Vale of York on 27 March relating to discussions with European Commissioners about animal health (ref: 156278). [157365]

Ms Quin *[holding answers 2 April 2001 and 6 April 2001]:* My right hon. Friend the Minister has spoken and written to both Commissioners Byrne and Fischler. In addition, the European Commission's Standing Veterinary

Committee meets regularly to discuss all animal health matters, including the risk of importing disease from infected animals.

SOCIAL SECURITY

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Social Security if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157134]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of: eradicating child poverty in 20 years, and halving it within 10; promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and, combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Amber Valley since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Amber Valley 11,193 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over-50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Amber Valley the number has reduced from 1,900 to 1,600. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally; in Amber Valley the number has increased from 900 to 1,000.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 18,600 older people in Amber Valley have received a Winter Fuel Payment for this winter (2000–01).

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 17,100 pensioners in Amber Valley will benefit from the substantial increases in the basic state pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over-75s of whom we estimate there are about 7,600 in Amber Valley. 2,500 pensioner families in Amber Valley are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Departmental Policies (Eccles)

Mr. Ian Stewart: To ask the Secretary of State for Social Security if he will set out, including statistical information relating as directly as possible to the Eccles constituency, the effects on Eccles of his Department's policies and actions since 2 May 1997. [157289]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of: eradicating child poverty in 20 years, and halving it within 10; promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000), sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Eccles since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Eccles 11,761 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Eccles the number has reduced from 2,200 to 1,300. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Eccles from 2,400 to 2,100.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 18,400 older people in Eccles have received a Winter Fuel Payment for this winter (2000–01).

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 17,500 pensioners in Eccles will benefit from the substantial increases in the basic state pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 7,500 in Eccles. 3,900 pensioner families in Eccles are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Council Tax Benefit

Mr. Coleman: To ask the Secretary of State for Social Security what savings have been made from the council tax benefit restriction scheme in each year of its operation. [155590]

Angela Eagle: I refer my hon. Friend to my written answer on 23 November 2000, *Official Report*, column 320W.

Mr. Coleman: To ask the Secretary of State for Social Security how many and what percentage of residents in *(a)* band F, *(b)* band G and *(c)* band H are restricted to Council Tax Benefit at band E in (i) England, (ii) London and (iii) inner London. [155591]

Angela Eagle: The available information is in the table. Percentages are not provided as there are no data available to determine them. Data are not available for Inner London.

Council Tax Benefit cases restricted to band E by band in England and London—May 1999

	England	*Greater London*
Total of bands F, G and H	18,000	7,000
Band		
F	13,000	5,000
G	4,000	2,000
H	[1]—	[1]—

[1] Data nil or negligible

Notes:
1. The data refer to households, which may be a family, a single person or a couple.
2. Figures have been rounded to the nearest thousand.
3. Totals may not sum due to rounding.

Source:
Housing Benefit and Council Tax Benefit Management Information System, Annual 1 per cent. sample, taken in May 1999.

Mr. Coleman: To ask the Secretary of State for Social Security what the *(a)* total annual cost and *(b)* average annual cost borne by restricted households claiming Council Tax Benefit was in (i) England, (ii) London and (iii) inner London for (1) all bands, (2) band F, (3) band G and (4) band H. [155589]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Total annual cost for Council Tax—May 1999

£

Band	*England*	*London*
F	528,000	358,000
G	287,000	74,000
H	36,000	[1]—
Total	851,000	432,000

Average annual cost borne by household by Council Tax band—May 1999

£

Band	*England*	*London*
F	153.20	157.70
G	315.00	218.10
H	294.70	[1]—
Average	190.00	165.50

[1] Insufficient data for statistically reliable estimates.

Notes:
1. The data refer to households, which may be a family, a single person or a couple.
2. Total costs are rounded to the nearest thousand pounds. Average costs are rounded to the nearest ten pence.
3. The data exclude any cases where there is Transitional Protection in place, i.e. the Council Tax and Council Tax Benefit is not restricted to band E.
4. Data are not available for Inner London.

Source:
Housing Benefit and Council Tax Benefit Management Information System, Annual 1 per cent. sample, taken in May 1999.

Mr. Coleman: To ask the Secretary of State for Social Security how many Council Tax Benefit claims are restricted to band E in *(a)* England, *(b)* London and *(c)* Inner London broken down by (i) all property types, (ii) owner occupied properties, (iii) privately rented properties, (iv) properties rented from registered social landlords and (v) properties rented from local authorities. [155592]

Angela Eagle: The information is not available in the format requested. Such information as is available is as follows.

Council Tax Benefit recipients subject to council tax band restrictions split by tenure type—May 1999

	England	*London*
All Properties	18,000	7,000
Owner-occupied properties	8,000	2,000
Privately rented properties	8,000	3,000
Registered Social Landlords/Housing Association properties	1,000	1,000
Local authority properties	1,000	1,000

Notes:
1. The data refer to households, which may be a family, a single person or a couple
2. Figures have been rounded to the nearest thousand
3. Data are not available for Inner London

Source:
Housing Benefit and Council Tax Benefit Management Information System, Annual 1 per cent. sample, taken in May 1999

Departmental Expenditure (Scotland)

Mr. Swinney: To ask the Secretary of State for Social Security (1) what has been the annual expenditure on office equipment for his Department in Scotland in the *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01 financial years; and what the planned expenditure for 2001–02 is; [155090]

(2) what has been the annual expenditure on *(a)* fixtures and fittings and *(b)* general office expenses for his Department in Scotland for the (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01 financial years; and what the planned expenditure for 2001–02 is. [155092]

Mr. Rooker *[holding answer 23 March 2001]:* The information on expenditure by the Department on office equipment, fixtures and fittings and general office expenses in Scotland is not collected centrally and could be obtained only at disproportionate cost.

Mr. Swinney: To ask the Secretary of State for Social Security what has been the annual expenditure of his Department in Scotland on *(a)* buildings and *(b)* insurance of buildings and staff in the (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01 financial years and what the planned expenditure for 2001–02 is. [155091]

Mr. Rooker *[holding answer 23 March 2001]:* The information is in the table. It covers only those activities of the Department located in Scotland. Many services provided by the Department to residents in Scotland are located elsewhere.

Expenditure by the Department on buildings in Scotland

£

	Facilities price[1]	*Utilities*[2]	*Rates*	*Total*
1998–99	23,039,436	1,638,672	4,173,952	28,852,060
1999–2000	22,380,266	1,070,952	4,279,356	27,730,574
2000–01	23,182,510	1,523,097	4,714,471	29,420,078
2001–02[3]	23,946,790	1,527,494	4,635,386	30,109,670

[1] The Facilities Price is a single unitary charge, that varies for each building, and which is payable to Trillium, the PRIME contractor for the provision of serviced office accommodation. Services included in the Facilities Price are:
Building Management and Maintenance (inc. Customer Service Centre)
Equipment Maintenance
Energy and Utilities Management
External and Internal Cleaning
Landscape Maintenance
Security (inc. facilities and equipment)
Catering (inc. facilities and equipment)
Porterage
Waste Management
[2] Utilities include Standing charges for Gas, Electricity and Fossil Fuels. Actual charges for water and sewerage.
[3] Forecast

Regarding insurance for buildings and staff I refer the hon. Member to the written answer I gave the hon. Member on 21 March 2001, *Official Report*, column 265W.

Mr. Swinney: To ask the Secretary of State for Social Security what has been the annual expenditure on vehicles for his Department in Scotland in the *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01 financial years; and what the planned expenditure for 2001–02 is. [155089]

Mr. Rooker *[holding answer 23 March 2001]:* The information is not available in the format requested.

Mr. Swinney: To ask the Secretary of State for Social Security what has been the annual expenditure on training and development for his Department in Scotland for the *(a)* 1999–2000 and *(b)* 2000–01 financial years; and what the planned expenditure for 2001–02 is. [155088]

Mr. Rooker *[holding answer 23 March 2001]:* The annual expenditure on training and development for the Department in Scotland for 1999–2000 was £6,719,482; for 2000–01 was £5,676,701; planned expenditure for 2001–02 will be known mid-April 2001. This expenditure supports the Department's work not only in Scotland but also elsewhere in the UK. Similarly, training undertaken elsewhere in the UK benefits the Department's work in Scotland.

Benefits Statistics

Mr. Donohoe: To ask the Secretary of State for Social Security how much has been paid in *(a)* state retirement benefits to pensioners and *(b)* in Child Benefit to parents residing in each parliamentary constituency in the United Kingdom in each of the past five years. [157395]

Mr. Rooker *[holding answer 6 April 2001]:* Information on annual benefit spending by parliamentary constituency is not available. For 1999–2000 and 2000–01, information is available from a point-in-time scan of administrative data which show numbers of recipients and average amounts of Retirement Pension received by constituency. Similarly, information on numbers of first and subsequent children in each constituency is available for 1999–2000 and 2000–01 from a point-in-time scan. This information has been placed in the Library.

As the information is for a certain point-in-time in each year, any calculation based on the numbers and average amounts would not correspond to the actual annual expenditure in that constituency. Nor would a total so derived match the total spending on the benefits shown in the accounts.

Foot and Mouth (Benefits)

Mr. Willetts: To ask the Secretary of State for Social Security how many additional benefit claims are expected as a result of the effects of foot and mouth disease,

broken down into *(a)* Jobseeker's Allowance, *(b)* Housing Benefit, *(c)* Council Tax Benefit and *(d)* other benefits; and what extra support is being offered to the Benefits Agency and local authorities to ensure that these claims are processed quickly. [157078]

Angela Eagle: It is not possible to estimate with any degree of accuracy the number of claims to benefit that will result from the outbreak of foot and mouth disease.

Details of the robust measures being taken to ensure that claims to benefit from people affected by the outbreak of foot and mouth disease are dealt with quickly and sensitively were set out by my right hon. Friend the Secretary of State in his reply to my hon. Friend the Member for Doncaster, Central (Ms Winterton) on 30 March 2001, *Official Report*, column 794W.

Housing Benefit

Mr. Simon Thomas: To ask the Secretary of State for Social Security what assessment he has made of the effect of the repeal of Regulation 100 under the Child Support, Pensions and Social Security Act 2000 on the ability of local authorities to seek recovery of overpayment of Housing Benefit. [156339]

Angela Eagle: Regulation 100 of the Housing Benefit (General) Regulations was revoked to simplify the procedure for local authorities to recover Housing Benefit overpayments. The regulation duplicated the primary power set out in section 75(1) of the Social Security Administration Act 1992 and had caused some administrative confusion.

The revocation did not alter the powers of local authorities to seek recovery of a Housing Benefit overpayment once it had been decided that the overpayment was recoverable.

Mr. Simon Thomas: To ask the Secretary of State for Social Security what the procedure is for appealing against the decision of a rent officer regarding the amount of Housing Benefit to be paid to an individual. [156340]

Angela Eagle: Rent Officers do not decide the amount of Housing Benefit payable to a person. The amount of Housing Benefit to be paid is determined by the relevant local authority after they have considered the claim under the Housing Benefit (General) Regulations. If a person disagrees with their award they may appeal against this decision.

Where the Housing Benefit award against which an appeal is made is based on the level of rent set by a Rent Officer, or if the local authority believes the Rent Officer's decision may be erroneous, the local authority has the power to arrange for the Rent Service to revisit the decision. This action is carried out by a Rent Officer other than the one who made the original decision, and normally one from a different rent registration area.

Single Room Rent

Mr. Lepper: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March 2001, *Official Report*, column 370W on single room rent, what representations he has received concerning the impact of the single room rent in Brighton and Hove; what assessment he has undertaken of the likely impact of the proposed new young person's rent regulations in Brighton and Hove; and what consideration was given in drafting the proposed new young person's rent regulations to the submission sent to him by the hon. Member for Brighton, Pavillion on behalf of various agencies in Brighton and Hove. [156647]

Angela Eagle: I am aware of my hon. Friend's representations on behalf of Brighton and Hove to the effect that the current rules were too restrictive and that they should be eased. We gave full consideration to these representations as we did to others. The new rules from July this year are therefore designed to reflect better what the market generally has to offer on a national basis. Moreover, local authorities will have the discretion to provide additional support in individual cases under the new arrangements for Discretionary Housing Payments, which will also apply from July. We are considering how best to monitor their operation.

Our objectives for the single room rent are to ensure that young people have access to accommodation so that they can concentrate on finding work, balanced against our aim of making sure that the benefit system does not provide out of work young adults with better housing than their working peers could afford. We made these objectives clear, including the option of broadening the definition of the single room rent, in our Housing Green Paper "Quality and Choice: A decent home for all" on which we consulted widely.

Ms Buck: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March 2001, *Official Report*, column 370W, how many organisations commented in response to the proposals in the Government's Housing Green Paper, "Quality and Choice: A decent home for all", on the single room rent; how many of these responses *(a)* supported abolition, *(b)* favoured abolition in preference to a broadening of the definition, *(c)* supported broadening the definition and *(d)* supported no change to the current definition; and if he will place these responses in the Library. [156714]

Angela Eagle: Two hundred and five respondents commented on the proposals to broaden the single room rent (SRR) set out in the Housing Green Paper. Information on the views of the respondents is not available in the format requested. However, a detailed analysis of all responses to the Housing Green Paper proposals was carried out by independent consultants. This analysis is available on the internet at www.housing.detr.gov.uk/information/consult/responses/analysis/index.htm and a copy has been placed in the Library.

Winter Fuel Payments

Mr. Simon Thomas: To ask the Secretary of State for Social Security what representations he has received concerning the late payment of back-dated winter fuel allowance. [156342]

Mr. Rooker: There have been a number of representations from hon. Members and the public. Statistics on these representations are not available.

Our intention has always been to make payments for past winters as soon as practically possible. The first payments were issued in the week commencing 19 June last year, just two months after the claims process was up and running.

Claims for past winters are not subject to any time limits. As it is up to the individual to choose whether and when to claim, we are still receiving and processing new claims.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the cost of the advertising campaign to inform men aged 60–64 of their eligibility for backdated Winter Fuel Payments. [157051]

Mr. Rooker: The information is not available in the format requested. The total cost of the overall communication campaign for Winter Fuel Payments which ran from April 2000 was £1.1 million. The campaign, which featured national and regional press advertising, information leaflets and posters in outlets such as post offices, supermarkets and libraries, included messages for those seeking retrospective Winter Fuel Payments alongside information for people who get their payments automatically and for those who have to claim.

Mr. Webb: To ask the Secretary of State for Social Security what plans he has to continue with the advertising campaign informing men aged 60–64 of their eligibility for backdated Winter Fuel Payments. [157052]

Mr. Rooker: The communications strategy for delivery of Winter Fuel Payments for 2001 is currently being developed.

Home Visits (Benefit Claims)

Mr. Brady: To ask the Secretary of State for Social Security what information he collects on the number of home visits made by local authority employees in connection with social security claims. [156532]

Angela Eagle *[holding answer 2 April 2001]:* Housing Benefit and Council Tax Benefit statistical returns collected by the Department include information about the number of home visits successfully made by local authority benefit fraud officers.

Minimum Income Guarantee

Mrs. Lait: To ask the Secretary of State for Social Security how many pensioners he expects to be eligible for the Minimum Income Guarantee following the introduction of the new capital limits; and what plans he has to contact them. [156978]

Mr. Rooker: In March, some 102,000 pensioners were written to with information on the Minimum Income Guarantee (MIG) and invited to make a claim. These consisted of pensioners who were part of the original take-up campaign but were not entitled due to excess income or capital and those pensioners who had been excluded from the original mailings because they held capital over £8,000. Some 140,000 pensioners will newly benefit as a result of this month's increase to the MIG rates and capital limits.

Fraud

Mr. Willetts: To ask the Secretary of State for Social Security how much he expects to pay to organisations who have provided information under the terms of the Social Security Fraud Bill in the first year after the Bill is enacted. [157083]

Mr. Rooker: The costs to the Department of using the powers to obtain information are detailed in paragraphs 20 to 23 of the Regulatory Impact Assessment of the Fraud Bill. The exact amount paid to the information providers will depend upon detailed negotiations after the Bill has received Royal Assent.

Mr. Willetts: To ask the Secretary of State for Social Security how many telephone calls have been made to the National Benefit Fraud Hotline in each month since May 1997. [157075]

Mr. Rooker: The information is in the table.

Number of calls received by the National Benefit Fraud Hotline (NBFH)

Month	*Number*
June 1997	16,272
July 1997	18,808
August 1997	14,755
September 1997	16,236
October 1997	13,202
November 1997	11,770
December 1997	10,829
January 1998	17,206
February 1998	15,780
March 1998	15,345
April 1998	19,007
May 1998	13,149
June 1998	13,692
July 1998	15,512
August 1998	11,104
September 1998	13,694
October 1998	12,805
November 1998	14,285
December 1998	12,160
January 1999	13,925
February 1999	13,798
March 1999	16,901
April 1999	11,996
May 1999	11,303
June 1999	13,415
July 1999	10,491
August 1999	10,336
September 1999	12,971
October 1999	9,291
November 1999	14,683
December 1999	10,906
January 2000	14,272
February 2000	19,285
March 2000	23,118
April 2000	12,815
May 2000	21,674
June 2000	18,212
July 2000	17,440
August 2000	20,289
September 2000	15,851
October 2000	13,980
November 2000	15,243
December 2000	9,073
January 2001	17,340
February 2001	18,191
March 2001	28,093

Community Service Orders

Mr. Willetts: To ask the Secretary of State for Social Security how many benefit claimants have been subjected to sanctions under the Child Support, Pensions and Social Security Act 2000 for failing o comply with community service orders. [157082]

Angela Eagle: None. These measures will be commenced on 15 October 2001. Initially they will be piloted in four areas from that date.

Pensions Advertising Campaign

Mr. Willetts: To ask the Secretary of State for Social Security, pursuant to his answer of 26 March 2001 to my hon. Friend the Member for Beckenham (Mrs. Lait), *Official Report*, column 481W, on the pensions advertising campaign, what subjects apart from pension education were included in the brief given to the agency responsible for the current advertising campaign. [157084]

Mr. Rooker: The pensions education marketing brief covered all aspects of the future pension policy.

Personal Pensions

Mr. Willetts: To ask the Secretary of State for Social Security how many new personal pension schemes were first made available; and how many personal pension products ceased to be open to new members for each year between 1988 and 2000. [157072]

Mr. Rooker: The information is in the table.

Number of personal pension schemes newly registered in each year between 1988 and 2000

Year	Number of schemes newly registered	Number of frozen or closed schemes
1988	197	n/a
1989	47	n/a
1990	30	n/a
1991	37	n/a
1992	16	n/a
1993	6	n/a
1994	2	n/a
1995	9	n/a
1996	18	n/a
1997	16	33
1998	22	1
1999	14	4
2000	13	0
Total	427	38

Notes:
1. The information in the table is on schemes that are required to pay the Pension Schemes Registry levy.
2. Information on frozen and closed schemes was only required to be reported from 1997. "Frozen schemes" are schemes which admit no new members and do not permit existing members to make new contributions. "Closed schemes" are schemes that admit no new members but allow existing members to continue to contribute.
3. In addition there are 83 schemes that are no longer required to pay the Registry levy. These include schemes that have merged or wound up.

Source:
Pension Schemes Registry.

Stakeholder Pensions

Mr. Willetts: To ask the Secretary of State for Social Security what the Government's estimate is of the fines likely to be imposed on employers who fail to offer access to a stakeholder pension; and what leeway will be offered to employers in the first year of the scheme. [157071]

Mr. Rooker: The Occupational Pensions Regulatory Authority (Opra) will have the power to impose fines, under the Pensions Act 1995, on an organisation for failure to provide employer access to a stakeholder pension. The level of any fine will depend upon the circumstances surrounding a breach, including how the employer has responded on being contacted about the breach.

Departmental Advertising

Mr. Willetts: To ask the Secretary of State for Social Security on what basis he calculated the figures for the costs of his Department's advertising campaigns in *(a)* his answer of 7 March 2001, *Official Report*, column 233W, *(b)* his answer of 19 March 2001, *Official Report*, column 75W and *(c)* the most recent departmental annual report. [157106]

Mr. Rooker: The figures given in my answer on 19 March 2001, *Official Report*, column 75W, were for all estimated advertising related expenditure for current campaigns. These cover advertising and other marketing activity eg. leaflets, research, direct mail, etc.

Figures given in my answer on 7 March 2001, *Official Report*, column 233W, were estimated for spend solely on advertising to be consistent with figures given for previous years as requested in the question.

Lone Parents

Mr. Willetts: To ask the Secretary of State for Social Security how many lone parents, under the New Deal for Lone Parents, have *(a)* been issued with an initial invitation letter *(b)* requested information on the scheme, *(c)* booked initial interviews with personal advisers, *(d)* attended initial interviews, *(e)* agreed to participate in the programme, *(f)* been referred to Employment Service programmes or other training, *(g)* obtained jobs following participation and *(h)* increased hours of work following participation. [157076]

Angela Eagle: We are giving lone parents more choices and more help than ever before to move off welfare and into work.

The latest information available about the New Deal for Lone Parents (NDLP) is in the table.

	Prototype phases 1 and 2[1]	National programme[2]
Initial invitation letters issued	50,612	761,290
Lone parents requesting information	—[3]	—[3]
Initial interviews booked	30,826	[4]254,853
Initial interviews attended	23,300	212,490
Number agreeing to participate	20,191	188,500
Number entering education/training	2,944	20,450
Jobs obtained (Number of these obtained by part-time workers increasing their hours)	6,271 (842)	77,140 (2,470)

[1] July 1997 to October 1998

[2] October 1998 to January 2001

[3] As lone parents may request further information about NDLP in a number of different ways it would be impossible to quantify this figure.

[4] The number of initial interviews booked is taken from internal management information and so has not been validated in the same way as other figures for the National Programme

BEST COPY AVAILABLE

Benefits Agency (Performance Targets)

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security what performance targets he has set the Benefits Agency for 2001–02; and if he will make a statement. [158057]

Mr. Darling: The Benefits Agency in 2001–02 is continuing to improve performance on the ground while gearing up for the introduction of "Jobcentre Plus" and "The Pension Service".

Further information, including performance targets is set out in the Benefits Agency's Business Plan for 2001–02, which has been published today. Copies have been placed in the Library.

PRESIDENT OF THE COUNCIL

High Sheriffs

Mr. Hoyle: To ask the President of the Council how many high sheriffs appointed since 1990 were members of political parties, broken down by party. [157717]

Mrs. Beckett: This information is not collected. Sheriffs are, however, asked to refrain from party political activity during their year of office.

Written Answers to Questions

Tuesday 10 April 2001

WALES

Foot and Mouth

Mr. Wigley: To ask the Secretary of State for Wales what discussions *(a)* he and *(b)* staff in his Department had with officials of the National Assembly concerning possible outbreaks of foot and mouth disease, prior to 19 February; and if he will make a statement. [154825]

Mr. Paul Murphy: I regularly meet the First Secretary to discuss a range of issues affecting Wales, including agricultural matters. My officials and officials within the Assembly are also in frequent contact about agricultural issues.

However, prior to the 19 February, these discussions did not include the possible outbreak of foot and mouth disease.

Mr. Wigley: To ask the Secretary of State for Wales what additional resources are being made available to the National Assembly for Wales to help agricultural and tourism-related businesses to survive the financial effects of the consequences of foot and mouth disease. [154840]

Mr. Paul Murphy: The Assembly is involved in the decisions being made on assistance for rural businesses affected by the consequences of foot and mouth disease. Any additional funding for the Assembly would be provided under the funding arrangements for the devolved Administrations, which were set out in the Statement of Funding Policy in July 2000.

GM Crops

Mr. Simon Thomas: To ask the Secretary of State for Wales on what date he received notification from the Department of the Environment, Transport and Regions of its recent decision to license GM crop sites in Wales; and if he will make a statement. [157986]

Mr. Paul Murphy: I was aware, as were Assembly Ministers and officials, that sites across the UK were being sought for the second year of the Farm Scale Evaluations programme.

The decision on locations for the trials was taken by the Scientific Steering Committee for the programme, on the basis of advice from the Research Consortium and information about the availability of sites from the Supply Chain Initiative on Modified Agricultural Crops (SCIMAC).

DETR officials informed relevant officials about the three GM maize sites proposed for Wales once they had themselves been notified of the exact locations by SCIMAC. DETR then announced the sites on Tuesday 3 April and wrote to county and community councils in Wales with proposed sites in their areas to provide information about the Farm Scale Evaluation programme.

Any further information on the detail of the announcement would be a matter for the Department of the Environment, Transport and the Regions.

SOLICITOR-GENERAL

Jay Abatan

Mr. Peter Bottomley: To ask the Solicitor-General if he will review the decisions taken by the Crown Prosecution Service following the fatal attack on Jay Abatan in Brighton in January 1999, following the findings of the review by Essex police into the handling of the case in Sussex. [157143]

The Solicitor-General: The aim of review by the Essex police into the fatal attack on Jay Abatan was to examine the conduct of the investigation by Sussex police officers. The review was commissioned by the Sussex police. The Crown Prosecution Service in Sussex has not yet received a copy of the review but remain willing to consider any findings relating to the way the CPS dealt with the prosecution of the case.

I explained in a detailed written answer on 24 May 2000, *Official Report*, columns 528–31W, when responding to a question put down by the hon. Member, that the decisions made by the Sussex Crown Prosecution Service were entirely satisfactory, given the evidence produced by the initial police investigation. I am willing to reconsider that conclusion in the light of any findings of the review.

Sussex police have appointed a new investigation team. Consistent with this fresh start, the Chief Crown Prosecutor for CPS Sussex made arrangements for a senior lawyer from Hampshire Crown Prosecution Service to deal with any prosecution which may result from the new investigation.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Child Road Deaths

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish a breakdown of the main reasons for child road deaths in each of the last three years. [157095]

Mr. Hill *[holding answer 5 April 2001]:* Statistics on the main contributory factors in child road fatalities are not available. However, the main road user types of child fatalities can be identified as follows:

Child fatalities aged 0–15: Great Britain

	1997	*1998*	*1999*
Pedestrians	138	103	107
Cyclists	33	32	36
Car occupants	74	64	71
Others	10	7	7
All road users	255	206	221

Single European Sky

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what topics are under discussion in relation to the proposed Single European Sky for report to the Gothenburg European Council in June. [157336]

Mr. Robert Ainsworth: The European Commission is still working on its Single Sky proposals which it intends to elaborate in a second Communication on Single Sky. Until the Communication has been formally presented to the College of Commissioners it is not possible to determine what precise proposals are to be put forward. The issue is expected to be discussed at the Gothenburg Council in June in general terms.

Departmental Policies (Leeds, Central)

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out, with statistical information relating as directly as possible to *(a)* Leeds, Central parliamentary constituency and *(b)* the City of Leeds, the effects of his Department's policies and actions since 2 May 1997. [157442]

Ms Beverley Hughes: The principal funding that this Department has provided to City of Leeds local authority in 1997 to present is shown in the table. This includes grants and borrowing approvals for revenue and capital expenditure.

It is not possible to determine how much of this money has been spent on Leeds, Central constituency. It is for the local authority to decide where within its boundary these resources are applied.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	[1]*2001–02*
Housing Investment Programme	[2]13.581	12.421	13.792	[3]36.442	[4]49.785
Housing Revenue Account Subsidy	£853.30 per dwelling	—	—	—	£958.02 per dwelling
Capital Receipts Initiative	2.878	9.702	10.111	n/a	n/a
Neighbourhood Renewal Funding	—	—	—	—	4.198
ERDF funding	—	—	—	—	—
Transport Supplementary Grant	4.835	4.501	3.490	0.245	2.250
Transport Annual Capital Guideline	4.785	4.802	3.653	0.535	0
Transport Block Supplementary Credit Approval	5.670	4.163	4.218	9.683	2.250
Rural Bus Challenge Grant	0	0	0	0	0
Rural Bus Subsidy Grant	0	0	0	0	0

[1] Where known

[2] 1997–98 HIP allocation inherited from the previous Government's spending plans. Present Government introduced CRI from 1997–98.

[3] Single Housing Pot introduced from 2000–01 resulting in CRI being merged with HIP.

[4] Resource accounting has resulted in a change to the way capital resources are allocated for 2001–02, with the introduction of a new Major Repairs Allowance (MRA) to cover the cost of maintaining local authority housing in a sound condition. The Leeds MRA allocation for 2001–02 is £35.656 million and, for comparison purposes, is included in the 2001–02 HIP allocation above.

Note:

Leeds' overall capital allocation of £49.785 million represents an increase of 266.7 per cent. on the inherited 1997–98 allocation.

Further transport figures:

In addition, the following funds have been allocated to the West Yorkshire PTA, some of which have been/will be spent in the Leeds CC area.

£ million

Nature of funding	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
Transport Block Supplementary Credit Approval	0	0	3.000	2.500	[1]57.607
Rural Bus Challenge Grant	0	0	0.364	0.209	0.917
Rural Bus Subsidy Grant	0	0.556	0.556	0.556	0.710

[1] This figures has yet to be split between the five West Yorkshire authorities.

The Leeds Initiative SRB Round 1 scheme: Removing barriers—creating opportunities

The programme consists of a package of employment and job creation measures designed to reduce unemployment and crime in inner city areas. The scheme is focused on four Community Priority Areas (CPAs):

East Leeds CPA

North Leeds CPA

West Leeds CPA

South Leeds CPA.

Lifetime total SRB funding is £16.48 million which is expected to lever in an additional investment of £26.5 million from other public and private sector sources over a seven year period commencing 1995–96.

The Leeds Initiative SRB Round 2 scheme: Rebuilding our communities

The programme aims to build on Round 1 activities by investing in physical regeneration in the East Bank area of Richmond Hill and by capitalising on training, employment and business growth opportunities in the East Bank and Chapeltown/Harehills, Hyde Park/Burley and Beeston Urban Renewal Areas. The scheme is primarily

housing led and aims to stimulate local business and employment growth through major housing investment programmes.

The scheme has attracted a lifetime total SRB funding of £12.5 million which is expected to lever in an additional investment of £55.7 million from other public and private sector sources over a seven year period commencing 1996–97.

Community action and support against crime—SRB Round 2 scheme

A three year scheme commenced 1996–97 and targeted on the Chapeltown and Harehills area of Leeds. The scheme provided a local focus for tackling high crime rates by strengthening community resolve to fight crime and overcome the fear of crime. It mixed target hardening and property marking with increased community participation in Neighbourhood Watch, enhanced victim support services, diversionary activities for youth and drugs counselling. The SRB contribution totalled £200,000.

The Leeds Initiative SRB Round 3 scheme: Leeds partnership with young people

The scheme proposes to tackle deprivation by providing assistance to young people aged nine to 25 living in the four most deprived electoral wards in the city: Burmantofts, Chapel Allerton, Harehills and the University.

The lifetime total SRB funding is £23.9 million which is expected to lever in an additional investment of £49.1 million from other public and private sector sources over a seven year period commencing 1997–98.

The Leeds Initiative SRB Round 4 scheme: Investing in the community

This scheme is targeted at the communities of Beeston Hill and Holbeck. The overall objective is to develop a sustainable regeneration strategy for the target area that will provide the local communities with an improvement to the quality of their lives.

The scheme has attracted a lifetime total SRB funding of £7.4 million which is expected to lever in an additional investment of £16 million from other public and private sector sources over a seven year period commencing 1998–99.

The Leeds Initiative SRB Round 5 scheme: Better neighbourhoods and confident communities

A seven year scheme, commencing 1999–2000, targeted at the most socially excluded neighbourhoods in Leeds. Its focus cuts across the range of SRB Objectives and seeks to address issues of neighbourhood decline in the following four main areas of concern:

Community Involvement

Neighbourhood Management

Community Safety

Improving Opportunities.

The overall lifetime funding package totals £61.164 million, of which the SRB contribution is £24.864 million.

The Leeds Initiative SRB Round 6 scheme: Aire Valley employment area

The overall objective of this seven year scheme, commencing 2000–01, is to transform the area, which forms the region's largest industrial site, into a high quality, sustainable employment base for the people of Leeds (particularly deprived communities in the east and south of the city) and the Yorkshire and Humberside region as a whole.

The overall lifetime funding package totals £46.4 million, of which the SRB contribution is £11.6 million.

European Funding

Leeds was not eligible for Objective 2 funding under the 1997–99 programme. However, it was eligible for support under the KONVER Community Initiative (to support diversification of economic activities in areas dependent on the defence sector). Projects in the area received offers of support totalling nearly £860,000 via ERDF measures and £234,000 via ESF.

The Chapeltown/Harehills area was also eligible for support under the URBAN Community Initiative (to support the development of urban areas in crisis). Projects in the area received offers totalling some £2.2 million via ERDF measures and £300,000 via ESF. The initiative was actually managed by a Board/Committee made up of local authority and local community representatives.

For Objective 3 (ESF), Leeds had £2.86 million in 1997, £4.1 million in 1998 and £8 million in 1999–2000.

For Objective 4 (ESF), it had £105,000 in 1998 and £1.5 million in 1999.

Packaging Waste (Pots)

Mr. Gibb: To ask the Secretary of State for the Environment, Transport and the Regions if plastic plant pots are considered to be packaging for the purposes of the Producer Responsibility Obligation (Packaging Waste) Regulations 1997. [157603]

Mr. Robert Ainsworth: A recent High Court ruling confirmed the interpretation of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (as amended) that has been taken since the Regulations came into force in 1997. Where an empty plant pot is brought as a retail product, it is not packaging. Where a plant is bought in a pot and will be kept in the pot throughout its life, or where a pot is made of biodegradable material and will be planted in the garden with the plant, the pot is not regarded as packaging. However, where plants are bought in a plant pot or a seed or bedding tray and will be transplanted to the garden, such pots are packaging. This is because these pots are used to keep the plants in good condition throughout the sales process until replanting and contain the plants for the ease and convenience of the purchaser in handling and transporting them. As such, each pot constitutes a 'sales' unit at the time of purchase.

Transport Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what the outcome was of the Transport Council held in Brussels on 4 and 5 April; what the Government's voting record was at the Council; and if he will make a statement. [157537]

Mr. Hill: I represented the United Kingdom at the Council, which was held in Luxembourg.

The Council opened with a policy debate on the Commission's second package of maritime safety issues. The Presidency presented a questionnaire focusing on the three elements in the package: improved ship monitoring, an additional compensation fund mechanism in cases of oil pollution, and the creation of a European Maritime Safety Agency (EMSA). The Commission hoped for common positions at the June Council. I stressed the importance of considering these proposals in the context of the International Maritime Organisation (IMO) and of existing member state competence, an approach shared by most member states present.

On Galileo, the Council adopted an approach that established milestones for future significant decisions about the launch of the development (December 2001) and the deployment (December 2003) phases. I was one of a number of Ministers to speak in support of this approach, which is intended to ensure that the project is based on sound financial management and private sector financing, as required by successive conclusions of the European Council. The decision milestones are necessary if Galileo is to deliver tangible benefits to the public and provide the taxpayer with good value for money. I also argued for more work to be carried out this year to meet UK and other member states' concerns about costs, management arrangements, the definition of the services and attracting private finance. This work will help the Council make an informed decision in December about the future of the project.

The Council agreed a Resolution setting out priorities for further progress in integrating environmental issues into transport policy. The Commission said it would follow up many of these priorities in the forthcoming Common Transport Policy White Paper.

There was a progress report and policy debate on the draft regulation establishing a European Aviation Safety Agency (EASA). The Presidency sought views on the key issues of which aircraft should be covered, the mechanism for appointment of the Executive Director, and inspections of member states and investigations of undertakings. I joined others in expressing the views that only member state registered aircraft should be covered, that the Executive Director should be appointed by the Agency's Administrative Board, and that EASA should have the powers of inspection and investigation. The Presidency concluded that discussion should continue in the Working Group, aiming for a common position as soon as practicable.

The Council agreed Conclusions urging member states to be in a position to ratify the Montreal Convention on air carrier liability by 31 December 2002. The Council also agreed a Decision for Community ratification of the Convention, to be deposited simultaneously with those of the member states. The Presidency hoped that a decision on a revision of Regulation 2027/97 would be taken in June.

The Commissioner reported on her recent visit to the United States to discuss ways to limit aircraft noise in future. She felt the exchange had been useful and further technical meetings had since been arranged.

The Commissioner also initiated a discussion on the state of the European airline industry, arguing that a Community mandate to negotiate with the US was a necessary precursor of airline consolidation.

The Presidency presented a framework for the Community to negotiate on aviation environmental issues, particularly aircraft noise, in the run-up to the International Civil Aviation Organisation (ICAO) General Assembly in September. This framework was agreed unanimously.

Pending the First Reading of the European Parliament there was political agreement on the text of a Regulation requiring third country lorry drivers to carry a certificate of legal employment. The UK maintained a parliamentary scrutiny reserve.

Following a Commission presentation, the Presidency confirmed that the directive on professional driver training would be discussed at the June Council.

The Council debated a proposed amendment to the directive on weights and dimensions of heavy vehicles, requiring member states to accept the use of 15 metre buses. The Presidency presented a global compromise addressing delegations' outstanding concerns. At the end of the debate, the Presidency concluded that there was general political agreement, but that the text of a derogation for the UK (addressing our concerns at the out-swing of these vehicles) would be remitted to Coreper for further consideration.

The Council adopted Conclusions on the Commission's recent Recommendation on the maximum permitted blood alcohol level for drivers. The Conclusions underline the importance of progress on a range of drink drive measures including collaboration between member states.

The Council discussed a proposed amendment to the directive on compulsory use of safety belts and child restraint systems. The text under discussion attempted to solve outstanding concerns on the detailed requirements for young children to use adult seat belts in the absence of appropriate child restraints. A number of member states had concerns about the proposals. The UK was among those taking the view that it required further examination. The Presidency concluded that the Council could not reach agreement and remitted the text for further consideration at the technical level, hoping for a common position in June.

There was a progress report and policy debate on new proposals to update the procurement procedures for public transport services. The Commission hoped that the new regulations would be discussed in June.

There was a discussion over lunch of the draft directive on the harmonisation of weekend lorry bans. The Commission emphasised the importance of harmonising the periods during which member states may impose bans and stressed that the proposal applied only to new bans and to the transport Trans-European Network. Consultation would be required on the imposition of new bans. I joined a number of member states in supporting the proposal.

The Commission noted the success of the Ecopoints system in managing lorry transits through Austria. It would be maintained only until 2003. The Commission undertook to issue a report soon about operation of the system.

No formal votes were taken at this Council.

Energy Efficiency Savings

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the time scale for achieving the 30 per cent. energy efficiency savings laid down in the House Energy Conservation Act 1995. [157539]

Mr. Meacher: The Home Energy Conservation Act 1995 requires designated energy conservation authorities to prepare a report setting out energy conservation measures that the authority considers practicable, cost-effective and likely to result in significant improvement in the energy efficiency of residential accommodation in its area.

In England, the Secretary of State for the Environment asked energy conservation authorities to prepare a strategy for making at least substantial progress towards a 30 per cent. improvement in energy efficiency over a 10-year period commencing 1 April 1996. Strategies were not expected to exceed 15 years. Similar arrangements apply in the devolved Administrations.

I have placed in the Library information on improvements reported by each local authority in England from 1 April 1996 to 21 March 2000 (the latest data available).

M27

Sandra Gidley: To ask the Secretary of State for the Environment, Transport and the Regions when resurfacing of junctions 2 to 4 of the M27 motorway will commence; and if he will make a statement. [157966]

Mr. Hill: Resurfacing of the M27 between junctions 2 and 4 is programmed to start in late autumn 2001, subject to funds being available.

Bus Services

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions how many bus services were operated from Tadcaster *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [157961]

Mr. Hill: The total number of bus departures from Tadcaster bus station on an average weekday were 85 in May 1997 and 100 in April 2001.

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions how many buses were operated from Selby *(a)* in May 1997 and *(b)* on the most recent date for which figures are available; and if he will make a statement. [157960]

Mr. Hill: The total number of bus departures from Selby bus station on an average weekday were 190 in May 1997 and 214 in April 2001.

Pilots' Licences

Mr. Gerald Howarth: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend the Air Navigation Order to give effect to a national private pilot's licence; when he hopes to amend the ANO; and if he will permit flying hours undertaken by student pilots from 1 May to count towards the issue of an NPPL. [157962]

Mr. Robert Ainsworth: The Civil Aviation Authority advises that detailed negotiations with industry representatives over proposals for a national private pilots licence are moving towards a satisfactory conclusion. Once agreement has been reached, there will follow the normal period of consultation and, subject to general agreement on the proposals, it is hoped to amend the ANO in order to give effect to a NPPL from the beginning of next year.

As regards previously accumulated flying hours, the NPPL is envisaged as being a "stand alone" licence, with no read across or equivalence to the Joint Aviation Requirements—Private Pilot's Licence. It will, in effect, exist in isolation of other ICAO compliant licences. Therefore, training to the NPPL syllabus will not be permitted prior to its coming into effect, and no credit will be granted for flying hours acquired under other training syllabuses.

Railtrack

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions how much Government funding has been provided to Railtrack through other bodies in each year since 1997. [157752]

Mr. Hill: My answer dated 18 December 2000, *Official Report,* column 7W, provided details of Government funding to train operating companies (TOCs) in 1997–98, 1998–99 and 1999–2000. In addition, the Government paid freight grants of £21 million, £19 million and £17 million respectively to freight operating companies (FOCs) in those years. That funding is not hypothecated to cover particular types of expenditure, so it cannot be directly identified as the source of payments made by TOCs and FOCs to Railtrack. For example, in addition to Government funding, TOCs receive income from Passenger Transport Executives, from fares paid for passenger services and from payments made for other services.

The table provides details, for 1997–98, 1998–99 and 1999–2000, of access charges paid to Railtrack by TOCs and FOCs, as stated in Railtrack's Annual Reports and Accounts 1998–99 and 1999–2000.

Access charges paid to Railtrack by Tocs and Focs

£ million cash prices

	1997–98	*1998–99*	*1999–2000*
Passenger access charges paid by TOCs	2,149	2,169	2,175
Freight access charges paid by FOCs	164	169	158
Railtrack's passenger and freight income	2,313	2,338	2,333

Note:

Railtrack's passenger and freight income makes up some 90 per cent. of its total income. The company's profitability is therefore contingent on Government funding.

London Underground

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many fires there have been on London Underground property in each of *(a)* the last 10 years *(b)* the past 12 months. [157473]

Mr. Hill *[holding answer 9 April 2001]:* London Underground have provided the following figures for fires on their property in recent years and by month in 2000–01.

Year	*Total*
1996–97	378
1997–98	407
1998–99	360
1999–2000	301
2000–01	280

Month	*Total*
2000	
April	19
May	36
June	35
July	26
August	18
September	15
October	27
November	17
December	12
2001	
January	25
February	22
March	28

Figures for years before 1996–97 could only be provided at disproportionate cost.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many services on the London Underground have been delayed for more than 30 minutes due to train or passenger accidents in each of *(a)* the last 10 years and *(b)* the past 12 months. [157471]

Mr. Hill *[holding answer 9 April 2001]:* This is an operational matter for London Underground Ltd. (LUL) who have provided the following information on delays to train services of 30 minutes and over as a result of train or passenger accidents, for recent years and in the last 12 months.

	Total
1996–97	64
1997–98	51
1998–99	48
1999–2000	57
2000–01	52

	Total
April 2000	1
May 2000	10
June 2000	5
July 2000	2
August 2000	4
September 2000	1
October 2000	7
November 2000	4
December 2000	3
January 2001	5
February 2001	7
March 2001	3

Figures for years before 1996–97 could be provided only at disproportionate cost.

Channel Tunnel Rail Link

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the projected cost is of the revised Channel Tunnel Rail Link II; how much of this will be *(a)* public and *(b)* private finance; how many extra train paths per hour it is estimated will be provided (i) between St. Pancras-Kings Cross and Fawkham Junction and (ii) between Fawkham Junction and the Channel Tunnel; when it is expected that tunnelling for CTRL II will be completed; and when work on the remodelled St. Pancras-Kings Cross International station will be completed. [157463]

Mr. Hill *[holding answer 9 April 2001]:* Following the collapse of the original 1996 agreement with London and Continental Railways and the re-structuring of the deal in 1998, the total cost of the Channel Tunnel Rail Link is expected to be £5 2 billion in outturn (ie nominal) prices. Section 1 is expected to cost £1.9 billion and Section 2 £3.3 billion.

Government will provide grants of £2.3 billion for the construction of Section 2. Thus up to the completion of construction £2.3 billion of funding will be public and £1 billion private sector. Government will also receive land rental payments from leasing the land on which the CTRL is built to the Concession holder.

When complete the full length of the CTRL will allow for up to six Eurostar paths per hour, eight paths reserved for the Domestic Operator, two Open Access paths and paths for high speed freight.

The current Section 2 programme shows tunnelling to be completed in June 2005 and work at St. Pancras in March 2006. The Section 2 of the CTRL is expected to open and services to start running in 2007.

Foot and Mouth

Mr. Cash: To ask the Secretary of State for the Environment, Transport and the Regions if he will place Stafford borough council and Newcastle-under-Lyme borough council on the list of those areas in receipt of business rate relief in respect of foot and mouth disease. [157613]

Mr. Meacher: Stafford borough council and Newcastle-under-Lyme borough council are not authorities which meet the criteria or rurality used for the targeting of this scheme. However, I have agreed to keep the operation of the scheme under review.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the rural local authorities to which the emergency business rate relief scheme is applicable due to the outbreak of foot and mouth disease. [157497]

Mr. Meacher *[holding answer 9 April 2001]:* I refer the hon. Member to the answer I gave to the hon. Member for Mid-Worcestershire (Mr. Luff) on 26 March 2001, *Official Report,* columns 425–26W.

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure there is adequate landfill capacity to dispose of animal carcases from the foot and mouth disease outbreak; and if he will make a statement. [158295]

Mr. Meacher: I issued yesterday the Waste (Foot and Mouth Disease) (England) Regulations 2001 for statutory consultation with appropriate bodies and a copy was placed in the Library of the House.

The main purpose of the proposed Regulations is to enable the Secretary of State to issue directions requiring the holders of waste management licences for specified landfill sites to accept and dispose of specified kinds of agricultural waste. These Regulations and the consequential directions are necessary to ensure that waste arising from the foot and mouth disease outbreak is disposed of effectively and in ways which ensure protection for the environment and human health.

Recycling

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how many projects in Coventry, funded by his Department, are designed to improve levels of recycling. [157860]

Mr. Meacher: The provision of recycling facilities is the responsibility of local authorities and in this case Coventry city council. Major extra funding for local authorities was announced in the Spending Review 2000. By 2003–04 revenue support will have risen by £1.1 billion over 2000–01 provision, in the Environmental Protection and Cultural Services allocation, which includes waste. There will also be a £140 million ring fenced fund for waste and recycling, and £220 million for PFI waste schemes over the next three years.

Coventry may also benefit from projects over wider areas, but I am not aware of any projects funded by DETR which are specific to supporting recycling in Coventry.

Kyoto Agreement

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made to reduce carbon dioxide emissions in accordance with the Kyoto Protocol. [157859]

Mr. Meacher: Under the Kyoto Protocol, the UK has agreed to reduce its greenhouse gas emissions by 12.5 per cent. relative to the 1990 level over the period 2008–12. The Government have recently published figures which show that in 1999 the UK's greenhouse gas emissions were 14.5 per cent. below 1990 levels. This represents a 6.5 per cent. reduction between 1998 and 1999.

The Government have also published provisional estimates of carbon dioxide emissions in 2000. These show that emissions were 7.5 per cent. below 1990 levels in 2000, consistent with the general downward trend in emissions shown in the UK Climate Change Programme. However, emissions increased by about 2 per cent. between 1999 and 2000, mainly as a result of increased use of coal in power stations because of maintenance and repair at nuclear and Combined Cycle Gas Turbine power stations and higher gas prices towards the end of the year.

The UK Climate Change Programme, published in November 2000, sets out a range of policies and measures that could reduce the UK's greenhouse gas emissions to 23 per cent. below 1990 levels in 2010, significantly beyond the UK's target under the Kyoto Protocol.

Housing Costs

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many organisations indicated their views on the exclusion of elements of housing costs from the calculation of household income used to define fuel poverty *(a)* by making submissions to the consultation on the new HEES scheme and *(b)* by appending their names to other submissions; and how many organisations supported (i) the exclusion of housing costs, (ii) the inclusion of housing costs, (iii) other suggestions and (iv) making no comment. [158003]

Mr. Meacher: The consultation document on the New Home Energy Efficiency Scheme invited comment on whether the calculation of household income should exclude any element of housing costs such as rent or mortgage payments.

A total of 252 responses to the consultation document were received. Some organisations submitted both an individual response as well as appending their names to a response from an umbrella organisation in the area.

The breakdown of responses is as follows:

(i) 20 per cent. of respondents supported the exclusion of some or all housing costs in the calculation of household income;

(ii) 34 per cent. of respondents supported the inclusion of housing costs in the calculation of household income;

(iii) 6 per cent. of respondents offered other suggestions;

(iv) 40 per cent. of respondents made no comment.

A copy of the full analysis of the consultation responses was placed in the House of Commons Library in November 1999.

The consultation draft of the UK Fuel Poverty Strategy shows the number of fuel poor both on the basis of making no allowance for housing costs in the calculation of household income, and by excluding any Housing Benefit or Income Support for Mortgage Interest (ISMI) payments. Comments are invited on the draft strategy by 31 May 2001.

Rural Taskforce

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many businesses in rural areas have applied for rate relief under the terms of the Rural Taskforce package announced on 20 March. [158001]

Mr. Meacher: It is for local authorities to operate the discretionary hardship rate relief scheme for businesses affected by foot and mouth disease in rural areas and take up will depend on what type of scheme is introduced by the authority. It is too early to estimate how many businesses will apply for these schemes.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many of the measures announced by the Minister for the Environment in his statement on foot and mouth of 20 March 2001, *Official Report*, columns 191–93, have been implemented in full; and if he will make a statement. [158004]

Mr. Meacher: Of the measures announced on 20th March, we have taken the statutory measures necessary to introduce additional financial support for local authority discretionary hardship rate relief schemes to help businesses affected by foot and mouth disease in rural areas and issued guidance to authorities. Implementation is for authorities and many have announced their intention to introduce a scheme. The deferral of tax, VAT and NIC payments is being considered on a case by case basis in response to applications by business. The Small Business Service is providing advice and business support and extension of the Small Firms Loan Guarantee Scheme was announced on 6th April. The details of operation of the matched funding scheme for charities were announced by the Countryside Agency on 28th March.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from the Local Government Association about *(a)* the cost of district councils' contribution to the rate relief package announced on 20 March and *(b)* the list of councils whose business ratepayers are eligible for relief. [157996]

Mr. Meacher: I and Ministerial colleagues have met with representatives of the Local Government Association to discuss operation of the discretionary hardship rate relief scheme for businesses affected by foot and mouth disease in rural areas. Members of the Association have put forward concerns on the application of the scheme to larger businesses, the 5 per cent. contribution made by local authorities, and additions to the list of 151 authorities to whom the scheme applies.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from district councils about the cost of their contribution to the rate relief package announced on 20 March. [157995]

Mr. Meacher: I have received representations from district councils with mixed urban and rural areas who have sought to be included with the 151 rural authorities who will benefit from the higher rate of contribution to the costs of hardship rate relief which I have made available.

In addition I understand that some small rural district authorities are concerned that it will be difficult for them to find the 5 per cent. of the cost which the scheme requires.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many times the Rural Taskforce has met; and what budget has been allocated to it. [157994]

Mr. Meacher: The Rural Taskforce has now met four times under my chairmanship, and the fifth meeting will be on Wednesday 11 April. The costs involved in providing support for the Taskforce are being met from the Department of the Environment, Transport and the Regions' running costs budget.

Railway Disruption

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to ensure rail passengers affected by the recent disruptions are compensated; and if he will make a statement. [158070]

Mr. Hill: Late last year, train operators announced two compensation packages totalling £70 million for passengers with monthly or longer season tickets whose journeys were severely disrupted by speed restrictions, Railtrack's track renewal programme and widespread flooding. Weekly and daily ticket holders can claim compensation for delays under their train operator's Passenger Charter. Bidders for replacement franchises will be expected to improve on current Passenger Charter obligations.

Virgin Trains

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the grounds on which the Strategic Rail Authority agreed to Virgin Trains' proposals for a 10 per cent. increase in rail fares. [157783]

Mr. Hill: The increases announced by Virgin relate in the main to unregulated fares. Under the terms of its franchise, any increase in unregulated fares is a commercial matter for Virgin. However, in the light of recent disruption on the rail network, and the wish to attract more passengers to rail, the Government find Virgin's announcement regrettable. The Strategic Rail Authority will be meeting representatives from Virgin shortly to discuss the matter.

Departmental Policies (Camden)

Ms Glenda Jackson: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out the effects, with statistical information on *(a)* Hampstead and Highgate and *(b)* the London borough of Camden of his Department's policies since 2 May 1997. [158020]

Ms Beverley Hughes: The principal funding that this Department has provided to the London borough of Camden since 2 May 1997 is shown in the table. This includes grants and borrowing approvals for revenue and capital expenditure.

It is not possible to determine how much of this money has been spent on Hampstead and Highgate. It is for the local authority to decide where within its boundary these resources are applied.

£ million

Nature of funding	1997–98	1998–99	1999–2000	2000–01	2001–02[3]
Revenue Support Grant	59.755	137.006	137.060	137.020	144.218
Income from National Non-Domestic Rates	1.238	43.051	46.794	52.353	53.063
Housing Investment Programme	9.924	8.787	9.824	32.280	18.758
Housing Revenue Account Subsidy	102.273	96.985	90.429	93.095	—
Capital Receipts Initiative	2.658	8.612	9.262	—	—
Cash Incentive Scheme	0.500	0.189	0.050	—	—
SRB funding[1]	0.301	0.849	1.153	2.351	—
Neighbourhood Renewal Funding	n/a	n/a	n/a	n/a	2.110
Transport Supplementary Grant	0.325	0.280	0.359	—	—
Transport Annual Capital Guideline	0.325	0.280	0.359	—	—
Transport Block Supplementary Credit Approval	2.066	2.450	0.890	2.805	—
Capital Challenge (Basic Credit Approvals)	—	1.717	2.859	—	—
Capital Challenge (Supplementary Credit Approvals)	0.729	0.388	0.369	—	—

n/a = Not Applicable
[1] Where known
[2] Figures provided where possible; however, not all grants for 2001–02 have been determined as yet
[3] Figures shown are only for the SRB schemes for which Camden is the accountable body
Note:
The figures shown are the most accurate currently available, as the London Development Authority SRB database is currently in the process of verification

Single Regeneration Budget (SRB) Schemes

London borough of Camden are the accountable body for the West Euston and the All Change at Camden Central SRB Schemes. There are three other SRB schemes that cover parts of the borough, which are run in partnership with other London boroughs and other external stakeholders.

West Euston

The West Euston Scheme was approved under SRB Round 3 and covers an area bounded by Euston Station in the East, Euston road to the South and Albany street to the West. The scheme's key objectives are to regenerate the West Euston area, to create economic opportunities, to make the area safe and secure to live and work, and to assist the unification of the community. Major projects cover racial integration, training, housing improvements and facilities for the elderly in the community.

All Change at Camden Central

The scheme aims to transform the lives of deprived and socially excluded people living in parts of Somers Town, St. Pancras, Regent's Park and Camden wards. Its objectives are to address inequalities through capacity building; education, employment and training initiatives; accessible I.T. provision; community safety and anti-social behaviour measures; health and sports provision; and housing improvements.

The other SRB schemes that cover parts of London borough of Camden are New Commitment to Kilburn (Brent and Camden), which received £6.599 million in total funding; Kings Cross, which received £37.5 million; and Young People, Drugs and Crime in Gospel Oak (Camden and Islington) which received £1.0 million.

Single Rail Franchise (Wales)

Mr. Simon Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the date for the commencement of the single rail franchise for Wales; and if he will make a statement. [158096]

Mr. Hill: The Strategic Rail Authority announced on 15 February that Arriva plc/Connex Transport UK Ltd., FirstGroup plc, National Express Group plc and Serco Rail had been shortlisted to compete for the Wales and Borders franchise. It is not possible to publish a commencement date as there is no set timetable for awarding this franchise.

Advisory Group on Motorcycling

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of the Advisory Group on Motorcycling. [158177]

Mr. Hill: The Advisory Group on Motorcycling has been meeting since May 1999 to discuss issues of concern to those who ride motorcycles. The Government are today publishing an Interim Report of the Advisory Group on Motorcycling. Copies have been placed in the Library of the House.

TRADE AND INDUSTRY

Miners (Compensation)

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry if he will publish the number of claims and the amount of compensation paid to ex-miners under the *(a)* miners' compensation scheme and *(b)* vibration white finger scheme in the Caerphilly parliamentary constituency. [157545]

Mr. Hain: The Department's claim handling agents, IRISC, have registered 3,268 claims in respect of chronic bronchitis and emphysema from claimants in the Caerphilly constituency, as defined by post codes CF46, CF81, CF82, CF83 and NP1. As at 4 April the Department had settled 93 claims in full, and made a further 896 interim settlements.

In addition, IRISC have registered 2,282 claims in respect of Vibration White Finger from claimants in the Caerphilly constituency. As at 4 April the Department had settled 466 claims in full, and made a further 360 interim settlements.

In total the Department has paid out nearly £9.3 million in respect of respiratory and Vibration White Finger related compensation in the Caerphilly constituency.

Healthcall Ltd.

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what the length of the contractual agreement is between his Department and Healthcall Ltd. in respect of their work in the medical assessment of ex-miners; when the contract will terminate; and if the contract will be re-tendered if the compensation process is unfinished by the end of the current contract. [157582]

Mr. Hain *[holding answer 9 April 2001]:* The contract signed by the Department with Healthcall Services Ltd. runs for 36 months from 1 November 1999, and is subject to an additional 12 month extension. No decision has been taken at present as to whether the contract will be re-tendered if the assessment process is unfinished. I have met its managers regularly over the past two months to discuss progress in compensation payments and they are co-operating fully in speeding up the system of medical assessments.

Hawk Jets (Exports)

Mr. Baker: To ask the Secretary of State for Trade and Industry (1) what support his Department has given to British Aerospace with regard to that company's contract to supply Hawk jets to India; [156885]

(2) which Ministers from his Department have been involved in discussions with *(a)* BAE and *(b)* the Indian Government regarding the contract to supply Hawk jets to India. [156886]

Mr. Alan Johnson *[holding answer 4 April 2001]:* I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for Defence on 9 April 2001, *Official Report,* column 367W.

One North East

Mr. Ronnie Campbell: To ask the Secretary of State for Trade and Industry how much was spent on industrial investment and environmental improvements by One North East in the Blyth Valley constituency in each year since 1997. [157296]

Mr. Caborn: One North East commenced its operations on 1 April 1999. The total expenditure by One North East since then in the Blyth Valley constituency amounts to £8.94 million as shown in the table.

£ million

Year	*Single Regeneration Budget*	*Land and Property Budget*
1999–2000	1.917	1.515
2000–01	1.933	3.575

Most expenditure related to industrial investment and environmental improvements but the total does include an element of expenditure on community/social inclusion activity.

National Weights and Measures Laboratory

Valerie Davey: To ask the Secretary of State for Trade and Industry if he will make a statement about the conclusions of the Quinquennial Review of the National Weights and Measures Laboratory. [158294]

Dr. Howells: The first stage of the five-yearly Review of the National Weights and Measures Laboratory (NWML) has now been completed.

NWML will continue as an Executive Agency of the DTI.

NWML is a regulatory body. The current functions of NWML form a coherent group that benefits from being managed as a whole. Ministers have therefore decided not to proceed with the alternative option considered by the Review, that of transferring the bulk of NWML's work to NPL Management Ltd. (the company which runs the National Physical Laboratory under contract to the DTI) with a small policy unit kept in the DTI. This organisational separation of policy from operations would risk reducing the quality of the work, and has been criticised by interested parties. The present integrated structure is seen as a great strength of NWML.

As announced on 28 July 2000, *Official Report,* column 1095W, the reviewer recommended that the policy part of NWML should be taken back into the Department organisationally and that the operational part should be contractorised by merger with NPL, which is already contractorised. However, the Review Steering Board recommended that this option should not be proceeded with until a business plan for the merger could be prepared and until Ministers had assessed its value for money and feasibility.

I have now considered the business plan prepared by NPL Management Ltd. and have received further advice from the Review Steering Board. I have also had the benefit of representations made by many interested parties. I accept that the merger with NPL would result in financial savings to the Department, but they are relatively modest. However, I have come to the conclusion that the benefits to the Department, to the users of NWML's services, and to the UK, which arise from having NWML run as an integrated body outweigh these potential savings.

This announcement will appear on the DTI's website.

Post Office

Mr. Dobbin: To ask the Secretary of State for Trade and Industry if he has approved the Post Office's five-year Strategic Plan 2001 to 2006; and if he will make a statement. [158292]

Mr. Alan Johnson: The Government have approved the Post Office's five-year Strategic Plan for 2001–06, endorsing the Board's view that this should be the basis on which management should drive the business forward. This is a five-year rolling Plan which is updated annually. The Plan represents a key element in the new arms-length relationship that the Government have established with the Post Office in fulfilment of the reforms described in the White Paper published in July 1999. The Post Office is continuing to build on last year's Plan. Nevertheless, it recognises that there remains much to do in an increasingly competitive marketplace.

The key features of the Strategic Plan are commercially confidential, and as such will not be published. In approving the Plan, the Government have maintained the medium term target for the Post Office to achieve a 13 per cent. return on capital employed for its operational business. This excludes the network of post offices and any non-operational interest arising from past surpluses. Return on capital employed is defined as profit before interest payable and tax, but after operating interest receivable, divided by operating capital employed.

Steel Plants

Mr. Flynn: To ask the Secretary of State for Trade and Industry what plans he has to introduce set aside systems for steel plants until the depression in the steel trade ends. [157786]

Mr. Alan Johnson: My Department has no plans to introduce set aside systems for steel plants.

Electrical Waste

Mr. Gibb: To ask the Secretary of State for Trade and Industry what assessment he has made of the effectiveness of schemes for retail take-back of electrical waste in *(a)* Austria, *(b)* Germany, *(c)* the Netherlands and *(d)* Switzerland. [157610]

Ms Hewitt: Detailed assessments for the four named countries have not been undertaken. The formal take-back schemes are relatively new and vary greatly in scope and approach to funding. Direct comparison is difficult. Switzerland (1998) and the Netherlands (1999, 2000) have both legislated for retailer take back but the Government are unaware of any formal assessments by the Swiss or Dutch Governments. Germany has developed a draft ordinance (1999) which is currently the subject of a review. Austria introduced a draft ordinance in 1994 covering only lamps and white goods. This is currently being reviewed by the Austrian authorities.

Pyrolysis

Jane Griffiths: To ask the Secretary of State for Trade and Industry if he will include energy from waste by pyrolysis in the renewables obligation. [157227]

Mr. Hain: No firm commitment can yet be made regarding the status of pyrolysis or other energy from waste technologies under the Renewables Obligation. My Department is still considering the responses to the consultation document on the Obligation. A summary of the responses was published on 20 March, and we will publish our revised proposals as soon as possible.

Jane Griffiths: To ask the Secretary of State for Trade and Industry (1) if he will assess the benefits of energy from waste generated by pyrolysis; [157225]

(2) if his Department will promote energy from waste by small-scale pyrolysis. [157228]

Mr. Hain: Pyrolysis may prove to be a cleaner means of energy recovery from waste than incineration and cost-effective at a smaller scale. This could contribute to achieving the proximity principle proposed in the Government's Waste Strategy and complement local recycling schemes.

My Department is currently supporting three research projects assessing the potential of pyrolysis through its New and Renewable Energy R&D Programme. These are two projects monitoring the waste gas technology installation at the Nash sewage works near Newport, South Wales and a comparative technical assessment of energy conversion technologies for municipal solid waste concentrating on pyrolysis being undertaken by Mitsui Babcock.

In addition, the Department's Programme supported earlier monitoring work with Compact Power that helped them move from pilot to demonstration.

The Programme maintains strong links with the IEA Bioenergy Agreement and through participation in this has access to relevant work in most other OECD countries.

Jane Griffiths: To ask the Secretary of State for Trade and Industry if he will assess the potential effect of pyrolysis on the level of the waste stream to landfill. [157226]

Mr. Hain: The extent to which pyrolysis reduces the volume of waste to landfill depends very much on the pyrolysis technology employed. Some of these technologies produce a glass-like residue that can be used for road aggregate avoiding almost any landfill stream, some a lighter ash and some a charcoal-type material that can be quite bulky. However, I do wish to find ways of encouraging new technology that converts waste into renewable energy, after maximum recycling.

Employment Tribunals (Scotland)

Mr. Grieve: To ask the Secretary of State for Trade and Industry how many persons have been appointed chairman or part-time chairman of employment tribunals in Scotland without being a Scottish advocate or solicitor of not less than seven years' standing. [157611]

Mr. Alan Johnson *[holding answer 9 April 2001]:* Part-time Chairmen of Employment Tribunals in Scotland are appointed by the Lord President of the Court of Session in accordance with Section 5a of the Employment Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993.

Telecommunications Council

Mr. Hood: To ask the Secretary of State for Trade and Industry what the outcome of the Telecommunications Council held in Brussels on 4 and 5 April was; what the Government's voting record at the Council was; and if he will make a statement. [157538]

Ms Hewitt: I represented the UK on the telecommunications aspects of the Transport and Telecommunications Council held in Luxembourg on 4–5 April.

The Council reached political agreement on common positions in respect of three proposals for Directives arising from the European Commission's 1999 communications review: on a common regulatory framework for electronic communications networks and services; on access to, and interconnection of, electronic communications networks and associated facilities; and on the authorisation of electronic communications networks and services. I strongly welcomed this

agreement as a significant step toward fostering the competitive communications markets that are a vital element in the European Union's target to be the most successful knowledge economy in the world by 2010.

The Presidency gave a progress report on a fourth proposal for a Directive, on universal service and users' rights relating to electronic communications networks and services.

The Presidency indicated that it expects the Council to reach common positions on all four proposals at the next Transport and Telecommunications Council, to be held in Brussels on 27–28 June.

The Presidency also indicated that it expects the Council to reach common positions on proposals for a Regulation on the implementation of the Internet top level domain "EU" and on amending Directive 97/67/EC with regard to further opening to competition of Community postal services at the next Transport and Telecommunications Council.

The Council also held discussions on a Commission Communication on the introduction of third generation mobile communications in the EU; on the eEurope 2002 Action Plan, including network security and a Commission Communication on creating a safer information society by improving the security of information infrastructures and combating computer-related crime; and on international aspects of the organisation and management of the Internet.

The Commission provided information on implementation by member states of the Regulation on unbundled access to the local loop.

Engineers (Recruitment)

Dr. Iddon: To ask the Secretary of State for Trade and Industry what targets he has set for the recruitment of engineers in the next 10 years; and what account he has taken of the current level of UCAS acceptances for engineering degrees. [156167]

Mr. Alan Johnson: The Government do not set targets for the recruitment of engineers. However, we do listen carefully to employers when developing strategies to meet future skills needs in engineering. We also take account of statistical data and research reports from a wide variety of sources, including UCAS. The National Training Organisations (NTOs) also have a key role in providing detailed and accurate information on future skills issues across a range of sectors and we hope to see this role developed and enhanced as a result of the current consultation exercise aimed at strengthening the NTO Network.

It has, however, become increasingly apparent that there is a need for improved information on the developing skills needs in engineering over the longer term, particularly in relation to the new technologies. The need for such information was recognised as a key issue for the Hawley Review of the Engineering Council set up by my noble Friend the Minister for Science and Innovation in October 1999. It is currently being considered in further detail by the Education and Training working group set up by the Engineering Council as part of the transitional arrangements for the establishment of the Engineering and Technology Board (ETB) in October 2001. Lord Trefgarne, Chairman of the Engineering and Marine Training Authority (EMTA), the National Training Organisation for engineering manufacture, chairs this group.

The Government recognise the fundamental importance of maintaining an adequate flow of bright and well-motivated people into engineering and we continue to support a wide range of initiatives aimed at promoting engineering as a rewarding and challenging career. These include the Campaign to Promote Engineering (CPE) and the Science Engineering Technology Mathematics Network (SETNET).

The latest initiative in this area is the Science Technology Engineering Mathematics (STEM) Delivery Programme, to which DTI has committed £6 million over the next three years. This aims to provide young people and their science teachers with access to the very best business-sponsored support materials and schemes by providing a single point of support through each Learning and Skills Council area in England (separate arrangements will apply in Scotland, Wales and Northern Ireland). The key objective for the programme will be to ensure that every young person in the UK under 16 should have the opportunity to experience an appropriate STEM activity at least once in each Key Stage.

The STEM Delivery Programme will also include the establishment of a nation-wide Science and Engineering Ambassadors Scheme (SEAS) to encourage younger people engaged in careers in science and engineering to go back into schools to encourage others to follow them. This will be launched jointly by DTI and DfEE at the start of Science Year in September 2001.

Departmental Policies (Ribble Valley)

Mr. Martyn Jones: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the Ribble Valley constituency, the effects on Ribble Valley of his Department's policies and actions since 2 May 1997. [157848]

Mr. Caborn: This Department does not maintain statistical information at constituency level.

The people of Ribble Valley, like many others throughout Lancashire, have benefited from my Department's Employment Rights policies which include National Minimum Wage, Working Time Directive, Part Time Working Regulations and improved maternity leave.

In addition, five wards in Ribble Valley are eligible for Enterprise Grant Scheme funding.

In the North West region, my Department's policies have contributed to growth in employment by 107,000 and a fall in unemployment by 63,000; reductions in youth unemployment by 75 per cent. and long-term unemployment by 54 per cent.

Urban 2 Programme

Mr. Pike: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of the bids under the Urban 2 Programme scheme. [157438]

Mr. Caborn: The Government are still in negotiations with the European Commission about the number of projects which the Commission will accept from the United Kingdom under the new round of the Urban Community Initiative.

Industrial Property

Mr. Salter: To ask the Secretary of State for Trade and Industry what advisory structure he proposes for intellectual property following the recent review of the Standing Advisory Committee on Industrial Property. [158293]

Dr. Howells: I propose to reform the Standing Advisory Committee on Industrial Property in line with the recommendations of the recent review of SACIP. The review identifies a need for the Patent Office and DTI Ministers to have access to independent, horizon-scanning advice on intellectual property in the round, which would allow us to view policy in its broad economic and social context. The committee's name will be changed to the IP Advisory Committee. It will have new terms of reference and its remit will include copyright as well as patents, trade marks and designs. Members will be appointed in accordance with the guidance from the Office of the Commissioner for Public Appointments.

Mox Fuel

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will make a statement on UK-US collaboration on Mox fuel development. [156372]

Mr. Hain: I am not aware of any such collaboration.

Motor Vehicle Body Repairs

Mr. Stevenson: To ask the Secretary of State for Trade and Industry if the Director General of Fair Trading will include motor vehicle body repair in the inquiry into standards in the vehicle servicing and repair sector. [157125]

Dr. Howells: The Director General of Fair Trading completed his inquiry into the car servicing and repair industry and reported his conclusions in August last year. His inquiry concentrated on the provision of routine maintenance and the replacement, repair and adjustment of defective parts and components, as the majority of consumer complaints he received were about these subjects.

I understand that the Director General has no plans to conduct any further inquiries into the car repair sector at present.

Paypoint Terminals

Mr. Todd: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 April 2001, *Official Report*, column 4W, on paypoint terminals, what assessment he has made of the implications for competitiveness in convenient bill payment facilities of the Post Office's policy. [157631]

Mr. Alan Johnson: This issue was reviewed by the Office of Fair Trading in 1998 whose conclusion was that the Post Office policy in this regard neither created a significant issue for consumers nor constituted a barrier to competitors, such as PayPoint, except to a very marginal degree.

The Performance and Innovation Unit also examined Post Office policy in this area and concluded in their June 2000 report "Counter Revolution Modernising the Post Office Network" that there were good network-sustaining reasons for such a policy.

Electricity Supplies

Mr. Webb: To ask the Secretary of State for Trade and Industry what regulations on interruptions to domestic electricity supplies will apply from April 2002; and what compensation will be available to residents whose supply is significantly interrupted after that date. [157583]

Mr. Hain: Regulations 17 and 23(1) of the Electricity Supply Regulations 1988, as amended, cover interruptions to domestic electricity supplies. Regulation 17 relates to the sufficiency of an electricity supplier's works and regulation 23(1) relates to the precautions, which a supplier has to take against supply failure. These requirements are to be carried forward in the draft Electricity Safety, Quality and Continuity Regulations 2001. These draft regulations, which are currently at the public consultation stage, are expected to be in force by the end of this year.

Compensation payable to a resident if supply is not restored in a given time is covered by the Office of Gas and Electricity Market's (OFGEM's) Guaranteed Standards of performance. This is currently £50 plus £25 for each additional 12 hours if electricity supply is not restored within 18 hours of a fault. It is recognised, however, that changes to the Guaranteed Standards will be required from April 2002 but this is a matter that is currently under discussion. Also under consideration is a new Guaranteed Standard which covers the level of compensation payable to residents who have suffered more than a specified number of interruptions in a given period of time. That standard will apply from April 2002.

Hollis Industries

Mr. Lilley: To ask the Secretary of State for Trade and Industry when he was advised that the inquiry into Hollis Industries had obtained evidence of an invoice of £200,000 payable to the hon. Member for Coventry, North-West (Mr. Robinson). [157165]

Mr. Byers *[holding answer 6 April 2001]:* I refer the right hon. Member to the reply I gave to the hon. Member for Lewes (Mr. Baker), on 2 April 2001, *Official Report*, columns 5–6W. This makes it clear that, acting on the advice of my Permanent Secretary, I ruled myself out of the involvement in the inquiries into the companies associated with my hon. Friend the Member for Coventry, North-West (Mr. Robinson), principally Hollis Industries plc. As a result I did not see or receive advice on any evidence obtained during these inquiries.

Mr. Lilley: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 April 2001, *Official Report*, column 7W, on Hollis Industries, if he will place in the Library the advice to which he refers. [157167]

Mr. Byers *[holding answer 6 April 2001]:* As the right hon. Member is aware, the actual confidential minutes containing advice from officials to Ministers are not published. This has been the practice under successive administrations.

However, the statement issued by the Department on 23 March 2001 made it clear that I received advice from the Permanent Secretary on 8 January 1999 that I should rule myself out of any inquiries into companies associated with my hon. Friend the Member for Coventry, North-West (Mr. Robinson), or out of any decisions that needed to be taken but that this matter should be delegated to officials. I accepted this advice.

Grant-making Schemes

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list each grant-making scheme and initiative which has been launched by his Department since May 1997, together with funds available for distribution in 2001–02. [157162]

Dr. Howells: Information on the Department's schemes and initiatives together with planned expenditure for 2001–02 and outturns are available in the annual Expenditure Plans Reports, copies of which are available in the Library of the House.

A list of main grant-making schemes and initiatives launched by the Department since May 1997 is as set out.

DTI grant-making schemes and initiatives launched since May 1997

Biotechnology Exploitation Platform Challenge

Biowise

Coal Operating Aid Scheme

Development Fund and Community Finance Initiative elements of the Phoenix Fund

Enterprise Grant Scheme

Higher Education Innovation Fund/Reach Out Fund

ICT Carrier programme

Internet Incubator Fund

Joint Infrastructure Fund (and its predecessor, Science Research Infrastructure Fund)

LINK Foresight Awards

Manufacturing for Biotechnology

Partnership Fund

Public Sector Research Exploitation Fund

Recycling Programme

Regional Innovation Fund

Science Enterprise Challenge

Sustainable Technologies Initiative

University Challenge

University Innovation Centres

Note: Some of these were launched jointly with other organisations

Departmental Policies (Tiverton and Honiton)

Mr. Martyn Jones: To ask the Secretary of State for Trade and Industry if he will set out, with statistical information relating as directly as possible to the Tiverton and Honiton constituency, the effects on Tiverton and Honiton of his Department's policies and actions since 2 May 1997. [157806]

Mr. Caborn: The Department has provided the following support for businesses in Tiverton and Honiton Constituency since May 1997.

Enterprise Grants

The Enterprise Grants scheme is a simplified scheme that was introduced in April 2000 to help small firms undertake fixed capital investment projects. Two offers totalling £2,965 have been made to firms in the Tiverton and Honiton constituency.

Smart

Smart awards are designed to help small firms with the introduction of new products and processes. Four Smart awards totalling £268,125 have been made to firms in the Tiverton and Honiton constituency.

Business Link

PROSPER Business Link has provided services to small businesses in the Tiverton and Honiton constituency since 1997. These include general and specialised advice to help businesses grow, export development counselling, ICT advice, and a full range of specialist information. From April 2001 these services will be provided by the Small Business Service operating through a franchise awarded to a PROSPER led partnership. This new service will be more customer focused ensuring that services are driven by local need.

Ministerial Conference, Doha

Mr. Mitchell: To ask the Secretary of State for Trade and Industry where and when the strategic goals to be pursued by the European Union at the four Ministerial Conference of the World Trade Organisation scheduled for Doha in November were *(a)* agreed and *(b)* made public; and which Ministers and officials were present when the goals were agreed. [157327]

Mr. Caborn: The EU's aims for a New Round of multilateral trade talks were set out ahead of the three Ministerial Conference of the World Trade Organisation (WTO) at Seattle in the General Affairs Council (GAC) Conclusions of 26 October 1999. Those aims were discussed in European Standing Committee C on Monday 22 November 1999 and the Government's proposals were accepted.

The GAC in Seattle on 3 December 1999, attended by myself and my right hon. Friend the Secretary of State for Trade and Industry, confirmed the EU's comprehensive approach to a New Round.

Following the failure at Seattle to launch a New Round, the UK has been fully involved in reviewing the EU's position through numerous discussions at Ministerial and official level. These include a Ministerial meeting in Porto which I and other EU Trade Ministers attended, on 17–18 March 2000, and most recently another Ministerial meeting of EU Trade Ministers on 25 February 2001, which I attended.

The EU is still seeking the launch of a comprehensive round of talks: we maintain that only a broad-based inclusive agenda can encompass priority issues for every WTO Member, increasing the incentive to tackle more difficult areas and so bringing greatest benefits to all.

The EU's principle of a comprehensive mandate was supported by the House of Lords Select Committee on the European Union in its report on the EU Mandate after Seattle (HL Paper 76: published 13 June 2000). That report noted the need for it to be pragmatic and flexible in its execution of that mandate.

DEFENCE

Advanced Short Range Air-to-Air Missile

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will list *(a)* the original in-service date, *(b)* the revised in-service date and *(c)* the latest expected in-service date for ASRAAM; and if he will make a statement. [157179]

Dr. Moonie *[holding answer 9 April 2001]:* The in-service date set at the main approval point for ASRAAM was December 1998. Technical problems with the missile hardware and software, combined with a decision to alter the delivery programme to align better with the candidate aircraft, resulted in the approval of a revised in-service date of April 2001.

Matra BAE Dynamics (MBD), the prime contractor for ASRAAM, has not yet achieved the missile performance level required by the Ministry of Defence (MOD). The company has encountered a number of technical problems, which have caused some delay to the programme and mean that the in-service date of April 2001 will not be achieved. The MOD is not prepared to take delivery of any missiles until MBD can show that an acceptable standard can be met. However, we have made clear to the company the need to resolve the problems and to agree a revised programme to its entry into service. Until that time, Tornado F3, Harrier GR9 and Sea Harrier FA2 aircraft will continue to have an effective short-range air-to-air capability using Sidewinder missiles.

Agency Performance Targets

Mr. Coaker: To ask the Secretary of State for Defence what performance targets have been set for the Naval Manning Agency for 2001–02. [158296]

Mr. Spellar: The Key Targets that have been set for the Chief Executive of the Naval Manning Agency for the financial year 2001–02 are set out. The targets build upon progress made by the Agency since it formed on 1 July 1996.

Deployment:

(a) The percentage of filled Officer billets to be—94 per cent. or greater.

(b) The percentage of filled rating billets to be—92 per cent. or greater.

(c) The percentage of filled other rank billets to be—90 per cent. or greater.

Manpower Planning:

The variation of strength to requirement to be—between plus ½ and minus 2 per cent.

Career Management:

(a) The percentage of Officers receiving the required Notice of Change to be—60 per cent. or greater.

(b) The percentage of ratings receiving the required Notice of Change to be—98 per cent. or greater.

(c) the number of occurrences where Minimum Time Ashore criteria are met to be—99 per cent. or greater.

NMA Corporate Efficiency:

(a) To achieve strict control of NMA manpower overheads to within plus or minus 2 per cent. of the baseline established for manpower overheads as at 1 April 2000.

(b) To carry out two benchmarking exercises.

(c) To achieve a Customer Confidence Score of 63.

Financial:

(a) To operate the NMA within zero to minus 1 per cent. of its 2001–02 Net Cash-Allocation for Operating Activities.

(b) Production of Annual Accrual Accounts to be completed by July 2002.

Mr. Coaker: To ask the Secretary of State for Defence what key targets have been set for the Naval Recruiting and Training Agency for 2001–02. [158297]

Mr. Spellar: These key targets have been set for the Naval Recruiting and Training Agency for 2001–02:

To deliver RN personnel to the trained strength (or to other training organisations) within 4 per cent. variance from the tasked requirement.

To deliver RM recruits to Commandant General Royal marines within 3 per cent. variance from the tasked requirement.

To obtain 96 per cent. "Satisfactory" assessments from the employers of NRTA trainees.

To maintain success rates of 95 per cent. in Career Training and 97 per cent. in examined pre-joining training.

To reduce the variance between RNR Trained Strength and Total Requirement to 32 per cent.

To retain tasked capacity while operating NRTA within its 2000–01 resource allocation.

To achieve net benefits of £12 million in FY 2001–02 from the partnering arrangement with Flagship Training Ltd.

Mrs. Golding: To ask the Secretary of State for Defence what performance targets have been set for the Defence Communication Services Agency for 2001–02. [158298]

Mr. Spellar: Key Targets have been set for the Chief Executive of the DCSA for the financial year 2001–02. The targets build on the progress already made by the Agency since it formed in April 1998 and are:

Key Target 1—Service Assurance

To meet an average of 98 per cent. for measured services against the performance targets agreed with the Agency's customers.

Key Target 2—Service Positioning

To commission on average 93 per cent. of new information service requests on, or before, the dates agreed with customers when the order is initially agreed by the DCSA.

Key Target 3—Operationally Urgent Service Restoration

To restore an average 96 per cent. of interrupted services classed as operationally urgent within four hours of the fault being reported to the DCSA, or within other specific periods agreed with customers.

Key Target 4—Service Support

To achieve an 85 per cent. average success rate against agreed standards in response to demands on all DCSA Operator Assistance Centres (OACs) and helpdesk facilities.

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Key Target 5—Customer Satisfaction

To achieve a 75 per cent. average of customers/users who express moderate or high satisfaction with the way they have been treated by the Agency and the subsequent services and support provided by the DCSA.

Key Target 6—Efficiency Measurement

To achieve an improvement in efficiency by reducing the average unit cost of output for DCSA products by 5 per cent. per annum.

Key Target 7—Introduction of New Projects on Time

To determine a baseline for the average cumulative slippage of complex projects' In Service Dates (ISD) and then to set performance improvements to reduce that figure.

Non-lethal Weapons

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many times officials from his Department have held meetings with the United States Department of Defence under the information exchange agreement on non-lethal weapons systems signed on 2 February 1998 under the US-UK Master Information Exchange Memorandum of Understanding on non-lethal weapons; when and where each meeting was held; and with which section of the United States Department of Defence each meeting was held. [157343]

Mr. Hoon: Five formal meetings have been held:

13–14 May 1998 at Farnborough (UK)

18–19 November 1998 at San Antonio

29–30 April 1999 at Quantico, Virginia

21 January 2000 at Quantico, Virginia

1 December 2000 in London.

Under the auspices of the Master Information Exchange Memorandum of Understanding on Non-Lethal Weapons there have also been a series of non-lethal weapons-related wargames, now completed, as follows:

19–20 January 2000 at Quantico, Virginia

11–14 April 2000 at quantico, Virginia

13–16 June 2000 at Carlisle (US)

12–15 September 2000 at Newport (US)

29–30 November 2000 in London.

All these meetings were held with the US Joint Non-Lethal Weapons Directorate.

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many information exchanges have been signed under the US-UK Master Information Exchange Memorandum of Understanding on non-lethal weapons since 18 November 1994; on what date and at what location and with which section of the US Department of Defense each information exchange was signed. [157301]

Mr. Hoon: One Annexe to the Master Information Exchange Memorandum of Understanding on non-lethal weapons has been signed: UK-RN-N-97-5951 on Non-lethal Weapons Systems. This was signed on 2 February 1998, with a duration of five years, at Quantico, Virginia with the US Joint Non-Lethal Weapons Directorate.

Heavy Lift Aircraft

Mr. Jim Cunningham: To ask the Secretary of State for Defence how many heavy lift aircraft there are in the UK; and how many more will be acquired as a part of the Strategic Defence Review. [157862]

Mr. Hoon: The Strategic Defence Review concluded that we needed to improve our strategic airlift capability to allow us to move forces and equipment quickly to an overseas theatre. In my statement on 16 May 2000, *Official Report*, columns 149–61, I announced the intention to order 25 A400M to fulfil our long-term outsize airlift requirements from the latter part of the decade.

I also announced that we would be leasing four C-17 aircraft to improve our strategic airlift capability until A400M enters service. This contract has now been signed and we expect to take delivery of the aircraft in May this year.

The RAF's heavy lift capability is currently provided by the following in-service aircraft types:

Aircraft type	*Number in-service*
C-130J	[1]15
C-130K	[2]39
VC10 C Mk 1 K	11
TriStar KC Mk 1	4

[1] Of the 25 ordered, 17 have been delivered to date, of which two are completing the acceptance process

[2] The C-130K fleet size is planned to reduce progressively to 26 aircraft as C-130J deliveries are completed

Macedonia (Rules of Engagement)

Mr. Jim Cunningham: To ask the Secretary of State for Defence what British troops are stationed on the Macedonian border; and what their rules of engagement are. [157863]

Mr. Spellar: At the end of March, the British-led Task Force CAMBRAI deployed to the US-led sector in MNB(E), with an area of responsibility which includes a stretch of the Kosovo/Macedonian border. This Task Force currently totals some 400, of whom some 200 are British troops.

The rules of engagement for British troops in MNB(E) are robust, as they are for other UK troops serving in KFOR.

Defence Jobs (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Defence how many jobs in Coventry are dependent on the UK defence industry. [157864]

Dr. Moonie: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Amphibious Landing Vessels

Mr. Jim Cunningham: To ask the Secretary of State for Defence what the capabilities will be of the amphibious landing vessels that will replace the existing ones. [157865]

Mr. Hoon: The Alternative Landing Ships Logistic (ALSLs) are designed for the carriage and offload at sea of troops, their equipment and stores, including ammunition, directly into a potentially hostile environment. They represent an important element of the modernisation of the UK amphibious capability foreseen in the Strategic Defence Review.

The current Landing Ships Logistics (LSLs) are mostly over 30 years old and of decreasing utility. The four new ALSLs will each have double the Linear Metre capacity of an LSL, thus providing greater vehicle and equipment carriage to support the embarked troops. This represents a marked increase in our amphibious lift capability. The ALSLs will be able to offload troops more quickly, by sea and air simultaneously, at a safer distance, and in significantly worse sea conditions. They can also provide tactical logistics support to land forces, and are flexible ships which can undertake a wide variety of other military tasks.

General Service Medal

Mr. Sawford: To ask the Secretary of State for Defence what plans he has to award a general service medal to veterans of the Suez emergency. [157987]

Dr. Moonie: The Suez operation of 1956 is recognised by the "Near East" clasp to the General Service Medal. There are no plans to institute a medal for the earlier period of emergency from 1951 onwards. The then Under-Secretary of State for Defence, my hon. Friend the Member for Warley (Mr. Spellar), reviewed the matter in 1998 and found no evidence that he believed would enable him to persuade the Committee on the Grant of Honours, Decorations and Medals to overturn their policy of non-retrospection, or to revoke any of the decisions made at the time or following various Departmental reviews since 1990. No such evidence has subsequently come to light.

TREASURY

Limited Liability Partnerships

Barbara Follett: To ask the Chancellor of the Exchequer what powers he has to authorise limited liability partnerships under the Financial Services and Markets Act 2000. [158182]

Miss Melanie Johnson: From 6 April 2001, businesses are able to organise themselves as limited liability partnerships (LLPs), in addition to other existing business structures.

The effect of EC law is to prevent insurance business being undertaken by LLPs. We will ensure FSMA is consistent with that.

There is no evidence of interest in banking (ie deposit-taking) businesses seeking to be organised as LLPs. Were there any evidence of interest in using the LLP structure, we would need to examine the issues closely.

LLPs carrying on financial services business, other than insurance or deposit taking, may seek authorisation under the FSMA from the Financial Services Authority after N2.

Departmental Administration Expenditure

Mr. St. Aubyn: To ask the Chancellor of the Exchequer (1) what the latest estimate is, measured in *(a)* resource accounting terms and *(b)* resource accounting terms at 2001 prices, of the planned increase in the annual total gross expenditure on administration by all Departments from 1996–97 to 2003–04; [157875]

(2) what the latest estimate is, measured in *(a)* cash terms and *(b)* cash terms at 2001 prices, of the planned increase in the annual total gross expenditure on administration costs by all Departments from 1996–97 to 2003–04. [157874]

Mr. Andrew Smith: Public Expenditure Statistical Analyses (PESA) 2000–01 (Cm 4601, 2000) published the final set of departmental administration cost plans on a cash basis. In accordance with "Better Accounting for the Taxpayer's Money" (Cm 2626, 1994), Departments were required to produce resource information from April 1998. This year's edition of PESA 2001–02 (Cm 5101, 2001) contains resource-based administration cost plans from that date, although estimates for the earlier years are included in footnote six.

The latest GDP deflator is published on the Treasury website (www.hm-treasury.gov.uk).

Disabled Persons Tax Credit

Ms Glenda Jackson: To ask the Chancellor of the Exchequer how many people in Hampstead and Highgate will benefit from the recent rise in Disabled Persons Tax Credit. [158012]

Dawn Primarolo: I refer my hon. Friend to my answer to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on 22 January 2001, *Official Report*, column 425. All recipients of the Disabled Persons Tax Credit will benefit from this month's increases, and from the further increase to the basic credit in June.

Energy-saving Materials

Mr. Cousins: To ask the Chancellor of the Exchequer if he will make it his policy to extend the reduced rate of VAT on energy-saving materials to energy-saving materials sold direct for fitting by the purchaser. [157888]

Dawn Primarolo: Energy-saving materials sold direct to the public are not included in the list of goods and services to which, under agreements with our European partners, a reduced rate of VAT may apply. We will be seeking their inclusion as a result of the European Commission's general review of reduced rates planned for 2003.

Pay-slip Booklets

Mr. Mallon: To ask the Chancellor of the Exchequer how many pay-slip booklets for the 12-month period commencing April 2001 were re-issued by the Inland Revenue; for what reason the re-issue was necessary; and what the total cost of re-issuing the booklets was. [157896]

Dawn Primarolo: The Inland Revenue issues approximately 1.3 million pay-slip booklets during February/March each year to all employers, for their use in making payment in the year commencing on the following 6 April. Thereafter, the IR issues booklets

weekly to new employers and to those employers who have requested a re-issue due to loss, eg because of change of address or damage. Re-issues are not counted separately from new cases but the average weekly issue of 100 since the bulk issue does not suggest re-issues are occurring on a wide scale for a particular reason.

European Community (Contributions)

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer if he will set out the annual *(a)* gross and *(b)* net contributions to the European Community made by the United Kingdom since 1973. [157398]

Miss Melanie Johnson *[holding answer 6 April 2001]:* Details of the United Kingdom's gross contributions, abatement, public sector receipts and net contributions for the period 1973–74 to 1998–99 can be obtained from various Departmental Reports of the Chancellor of the Exchequer's Departments or, previously, Government Expenditure Plans.

The net contribution figure for 1999–2000, and the Government's latest estimate for 2000–01, can be found at footnote 2 to Table C11 of the Budget 2001 (HC 279) published in March. Details of these two figures, ie gross contribution, abatement and public sector receipts, will be included in this year's Departmental Report of the Chancellor of the Exchequer's Departments.

Widowers

Mr. Baker: To ask the Chancellor of the Exchequer what plans he has to pay retrospectively widower's bereavement payments to all men widowed between 6 April 1994 and 5 April 2000 who paid tax in *(a)* the year in which they were widowed and *(b)* the following year. [157856]

Dawn Primarolo: I refer the hon. Gentleman to the answer I gave the hon. Member for Argyll and Bute (Mrs. Michie) on 23 November 2000, *Official Report*, column 317W.

Departmental Policies (Ribble Valley)

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the Ribble Valley constituency, the effects on Ribble Valley of his Department's policies and actions since 2 May 1997. [157843]

Mr. Timms: Ribble Valley, along with the rest of the United Kingdom, is benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the general election, claimant unemployment in the constituency has fallen by 436, or 45 per cent., youth unemployment is down by 77 per cent., and long-term unemployment has fallen by 70 per cent.

Macro-economic stability is being complemented at the micro-economic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of January 2001, the new deal for 18–24 year olds had helped 215 young people in Ribble Valley constituency gain valuable skills and experience—114 (53 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle-income families. In August 2000, 1,400 families in the constituency were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 18,800 in Ribble Valley, will receive an above-inflation increase in the basic state pension from April 2001. Single pensioners will receive an extra £5 a week, and couples will receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 7,500 in Ribble Valley.

Departmental Policies (Tiverton and Honiton)

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will set out, with statistical information relating as directly as possible to the Tiverton and Honiton constituency, the effects on Tiverton and Honiton of his Department's policies and actions since 2 May 1997. [157811]

Mr. Timms: Tiverton and Honiton, along with the rest of the United Kingdom, are benefiting from the long-term action we have taken to build economic stability and secure high and stable levels of growth and employment. Since the general election, claimant unemployment in the constituency has fallen by 562, or 39 per cent., youth unemployment is down by 84 per cent., and long-term unemployment has fallen by 73 per cent.

Macro-economic stability is being complemented at the micro-economic level by the Government's policies to ease the transition from welfare into work and to make work pay. To the end of January 2001, the New Deal for 18 to 24-year-olds had helped 423 young people in Tiverton and Honiton constituency gain valuable skills and experience—236 (56 per cent.) of whom had moved into employment. The Working Families Tax Credit (WFTC), introduced in October 1999, is helping to make work pay for low and middle income families. In August 2000, 2,100 families in the constituency were benefiting from WFTC.

The Government are also committed to policies that enable pensioners to share in the country's rising prosperity. All pensioners, including 22,500 in Tiverton and Honiton, will receive an above-inflation increase in the basic state pension from April 2001. Single pensioners will receive an extra £5 a week, and couples will receive an extra £8 a week. All pensioners aged 75 or over have also been entitled to a free TV licence since November 2000—including around 9,700 in Tiverton and Honiton.

Foot and Mouth

Mr. Todd: To ask the Chancellor of the Exchequer if he will permit the early review of the working families tax credit assessments of those affected by foot and mouth disease. [157596]

Dawn Primarolo: Families whose income is affected by the foot and mouth outbreak may be able to take advantage of the working families tax credit by applying to the Inland Revenue. The Tax Credit Office helpline—which can advise on eligibility and issue application forms—can be contacted on 0845 609 5000 in Great Britain and 0845 609 7000 in Northern Ireland.

Mrs. Gilroy: To ask the Chancellor of the Exchequer what representations he has received about the operation of the Working Families Tax Credit in relation to small businesses which are suffering a substantial reduction in cash flow as a result of foot and mouth disease; and if he will make a statement. [157223]

Dawn Primarolo: An employer who does not have enough PAYE tax, National Insurance contributions or student loan deductions out of which to pay the Working Families Tax Credit that is due to an employee can telephone the Inland Revenue Accounts Office to ask for additional funding. We are aware of only one such request to date as a result of cash flow problems arising from foot and mouth disease. The necessary funding was provided in this case.

Motorcycling (VAT)

Mr. Todd: To ask the Chancellor of the Exchequer pursuant to his answer of 2 April 2001, *Official Report*, column 46W, on motorcycling (VAT), if he will reduce VAT on vital replacement parts for motorcycle helmets and safety clothing worn by motorcyclists, to the lowest applicable rate. [157632]

Dawn Primarolo: Replacement parts for motorcycle helmets and safety clothing worn by motorcyclists are subject to VAT at the standard rate. EU law does not permit a reduced rate for such items.

Epilepsy

Mr. O'Hara: To ask the Chancellor of the Exchequer how many deaths from epilepsy were recorded in the periods between *(a)* 1 November 1999 and 28 February 2001 and *(b)* 1 November 1997 and 28 February 1999. [157553]

Mr. Timms *[holding answer 9 April 2001]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Eddie O'Hara, dated 10 April 2001:

The National Statistician has been asked to reply to your recent question about the number of deaths from epilepsy recorded between (a) 1 November 1999 and 28 February 2001 and (b) 1 November 1997 and 28 February 1999 (157553). I am replying in his absence.

There were 1,144 deaths from epilepsy (classified according to the International Classification of Diseases Ninth Revision, ICD(9)345) occurring between 1 November 1977 and 28 February 1999. Information is not yet available on the number of deaths that occurred between 1 November 1999 and 28 February 2001. Data based on date of occurrence of death in 2000 will not be available until October 2001.

Minimum Wage

Ms Glenda Jackson: To ask the Chancellor of the Exchequer how many people in Hampstead and Highgate will benefit from the uprating of the national minimum wage. [158022]

Mr. Timms: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Ms Glenda Jackson, dated 10 April 2001:

The National Statistician has been asked to reply to your recent question about the number of people in Hampstead and Highgate who will benefit from the uprating of the national minimum wage (NMW) (158022). I am replying in his absence.

The Office for National Statistics has published estimates of the number of jobs paid at less than NMW rates for 1998, 1999 and 2000. These estimates are based on an improved methodology using data from the New Earnings Survey (NES) and Labour Force Survey (LFS). This methodology provides the best estimates for the number of jobs in the UK paid below low hourly rate thresholds and was developed to overcome the deficiencies inherent in using the NES and LFS separately for measuring low pay.

Estimates for the United Kingdom and Government Office Regions are posted on the National Statistics website at: www.statistics.gov.uk/nsbase/themes/labour-market/nmw-lowpay-tables.asp

Estimates for Parliamentary Constituencies of numbers of jobs paid below NMW rates are not available on the basis of the methodology applied for producing the national and regional level figures.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many people in Pendle benefited from the introduction of the national minimum wage; and how many are estimated to benefit from its recent increase. [157772]

Mr. Timms: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Karen Dunnell to Mr. Gordon Prentice, dated 10 April 2001:

The National Statistician has been asked to reply to your recent question about the number of people in Pendle who have benefited from the introduction of the national minimum wage (NMW), and the number who will benefit from the increase to £4.10 (157772). I am replying in his absence.

The Office for National Statistics has published estimates of the number of jobs paid at less than NMW rates for 1998, 1999 and 2000. These estimates are based on an improved methodology using data from the New Earnings Survey (NES) and Labour Force Survey (LFS). This methodology provides the best estimates for the number of jobs in the UK paid below low hourly rate thresholds and was developed to overcome the deficiencies inherent in using the NES and LFS separately for measuring low pay.

Estimates for the United Kingdom and Government Office Regions are posted on the National Statistics website at:

www.statistics.gov.uk/nsbase/themes/labour_market/nmw_lowpay_tables.asp

Estimates for Parliamentary Constituencies of numbers of jobs paid below NMW rates are not available on the basis of the methodology applied for producing the national and regional level figures.

Ministerial Residences

Mr. Redwood: To ask the Chancellor of the Exchequer what is the budget figure for the cost of maintaining, servicing and victualling official residences for Ministers in the 2000–01 Budget year. [146373]

Dawn Primarolo *[holding answer 22 January 2001]:* This is a matter for the Prime Minister, who answered the right hon. Gentleman's question on 2 February 2001, *Official Report*, columns 331–32W.

Motor Insurance

Mr. Stevenson: To ask the Chancellor of the Exchequer what assessment he has made of *(a)* the value of United Kingdom motor insurance claims and *(b)* the number of such claims in (i) 1999 and (ii) 2000. [157139]

Mr. Timms: Statistics on United Kingdom motor insurance claims are published annually by the Association of British Insurers. Such market trends are kept under review.

FOREIGN AND COMMONWEALTH AFFAIRS

Holocaust Denial

Mrs. Ellman: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with EU colleagues in relation to legislation against holocaust denial; and if he will make a statement. [156113]

Mr. Vaz: Holocaust denial was discussed in January at the Stockholm International Forum on Combating Intolerance, at which my right hon. Friend the Minister of State for Home Affairs led the UK delegation. The Government continue to play a leading role in post-Holocaust affairs, in particular through their active membership of the International Task Force on Holocaust Education, Remembrance and Research, and through its role as Account Holder for the Nazi Persecution Relief Fund. The Government have also been closely following developments on slave/forced labour compensation and have made clear that they expect fair treatment for any eligible British citizens.

Visa Applications

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer to my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), of 22 March 2001, *Official Report*, column 317W, on visas, how many of the cases in which the Minister for Europe intervened related to *(a)* his constituency and *(b)* the Indian sub-continent. [156356]

Mr. Vaz *[holding answer 30 March 2001]: (a)* None. *(b)* I have overturned 34 decisions related to the sub-continent since October 1999. This represents 0.01 per cent. of over 308,000 applications received in the sub-continent in that period.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions *(a)* he and *(b)* the Minister for Europe have replied personally to representations by hon. Members concerning refusals of visa applications lodged in (i) Islamabad, (ii) Delhi and (iii) Bombay since 1999. [156529]

Mr. Vaz *[holding answer 2 April 2001]:* Hon. Members' representations about visa refusals are not recorded separately. The information requested could be collected only at disproportionate cost by examining all the case files for the posts in question since 1999.

Air Passenger Duty

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations he has received from the EU associated member states regarding changes to air passenger duty; and if he will make a statement; [156826]

(2) what discussions he has had with the Republic of Slovenia regarding changes to air passenger duty. [156828]

Mr. Vaz: The Slovenian Ambassador wrote to my right hon. Friend the Foreign Secretary on 22 September 2000 on behalf of 11 negotiating EU applicants (all except Hungary) to ask if we could bring forward the application of the European Economic Area rate to Slovenia and other EU associate member countries.

After detailed consultation with other Government Departments, in particular HM Custom and Excise, the Foreign Secretary replied formally on 5 February 2001 that we could not as this was a taxation issue with both legislative and revenue consequences. In response to a further letter from the Ambassador a meeting with relevant officials was suggested to discuss the matter further.

Turkey

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish Government regarding the case of Fatima Pollattas and Ceven Salmanoglu and their colleagues. [156541]

Mr. Vaz *[holding answer 3 April 2001]:* We are very concerned about the case of Ms Pollattas, Mr. Salmanoglu and others. Our Embassy in Ankara raised this case most recently on 23 March with the Turkish Ministry of Foreign Affairs. Our Consulate-General in Istanbul attended the first hearing on 21 March. We will continue to monitor developments in this case.

Biological Weapons Convention

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to attend the negotiations in Geneva on a protocol to strengthen the Biological Weapons Convention. [156968]

Mr. Wilson: A total of seven weeks of meetings are scheduled for the rest of this year in Geneva on a Protocol to strengthen the Biological Weapons Convention (BWC). The Protocol is an important arms control objective for the Untied Kingdom and Foreign Office Ministers have already addressed the BWC ad hoc group on two separate occasions to stress the need for a successful outcome to the negotiations. We are currently assessing the contents of the draft Protocol which was tabled by the Chair of the BWC ad hoc group (Ambassador Toth, Hungary) on 30 March, and also await first reactions for the other countries involved. We welcome the appearance of the text at this stage of the negotiations. We will consider ministerial attendance as negotiations proceed.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of the negotiations with the ad hoc group in Geneva for a protocol to strengthen the Biological Weapons Convention. [157114]

Mr. Wilson: On 30 March the Chairman of the Biological Weapons Convention (BWC) ad hoc group, Ambassador Tibor Toth of Hungary, tabled the text of a draft Protocol to the BWC. This has been sent to all States

Parties and will come under discussion at the next negotiating session which begins in Geneva on 23 April. The UK has played a leading role throughout these negotiations as we have had responsibility for the section of the text on compliance measures—the core of the future Protocol. We welcome the appearance of the text and are currently assessing this overall content. A successful outcome by the time of the BWC Review Conference remains a possibility but will depend upon the reaction to the text from all countries involved over the coming months. An effective BWC Protocol remains an important arms control objective for the United Kingdom as it will help fill the last remaining gap in Treaty provisions designed to stem the proliferation of WMD.

Panikos Tsiakourmas

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had regarding the case of Mr. Panikos Tsiakourmas of Cyprus; and if he will make a statement. [157031]

Mr. Vaz: We remain deeply concerned about the continued detention of Mr. Tsiakourmas. During my visit to Cyprus on 14 March, I raised the issue with Mr. Denktash, and urged him to find a satisfactory resolution to the case. I also met Mrs. Tsiakourmas and reassured her that we would remain strongly engaged in seeking Mr. Tsiakourmas' release.

Libya

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of negotiations with Libya. [156906]

Mr. Battle: The UK and US began talks with Libya in New York at the beginning of February. These trilateral talks are focused on how Libya can comply with the requirements of the UNSCRs: no more, no less. The trilateral talks are supported by bilateral talks in London and Tripoli.

Foot and Mouth (Tourism)

Mr. Pendry: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures diplomatic posts are taking to ensure that potential foreign visitors are aware of tourism opportunities in the United Kingdom. [156979]

Mr. Wilson: Diplomatic Posts work closely with the British Tourist Authority overseas to promote the UK as a tourist destination. Since the outbreak of foot and mouth disease earlier this year posts have been implementing a pro-active public diplomacy campaign to provide the most up to date facts about how the UK is handling the disease.

At the Prime Minister's request posts have also redoubled their efforts to promote the message that Britain is open for business. This has included updating websites, placing articles, giving interviews and rebutting false allegations. The target audience for this activity has included the media, the travel industry and the local business community. Here we have held regular briefings for London-based foreign correspondents and have used the FCO's dedicated TV and radio services to feed stories into thousands of broadcasts around the world.

Palestine

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to Yasser Arafat regarding the release from prison of members of *(a)* Hamas and *(b)* Islamic Jihad. [156907]

Mr. Wilson: The Secretary of State raised concerns about the release of prisoners belonging to groups responsible for terrorist acts during his meeting with President Arafat on 11 October 2000.

The Government are in regular contact with the Palestinian Authority and the Government of Israel, and urge them to resume security co-operation and to do all in their power to end violence, restrain extremism and minimise incitement and provocations.

Rapid Reaction Force

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 March 2001, *Official Report*, column 109W, on the Rapid Reaction Force, what obligations are waived for Denmark and applicable to the United Kingdom. [157403]

Mr. Vaz: Under Protocol 5 of the Treaty on European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications and is not obliged to contribute to the financing of operational expenditure arising from such measures. The UK participates fully in the development of the European Security and Defence Policy.

China

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the United Kingdom proposes to take in *(a)* London and *(b)* Geneva, to encourage UN Commission for Human Rights members to vote against the no-action motion China will propose at the 57 UNCHR. [157451]

Mr. Battle: EU Foreign Ministers agreed at the General Affairs Council on 19 March that the EU should oppose and actively lobby against any no-action motion tabled by China at the 57th session of the UN Commission on Human Rights.

Lobbying in Geneva and the capitals of some UNCHR member states has already been carried out on behalf of EU member states, including the United Kingdom, by the Swedish Presidency. This will continue until the vote, which is expected to take place on 18 April.

Brigadier Stephen Saunders

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the investigation into the murder of Brigadier Stephen Saunders, former defence attaché to Greece. [157597]

Mr. Battle: A team of Metropolitan police officers continues to work closely with the Hellenic National police in Athens on the investigation into the murder of Brigadier Saunders. Operational details of the

investigation must remain confidential but we, and the Greek Government, remain committed to bringing Brigadier Saunders' murderers to justice.

Belize

Mr. Peter Bradley: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 29 March 2001, *Official Report*, column 746W, what information the British High Commission has received from *(a)* Belize Telecommunications, *(b)* its representatives as to the steps it intends to take either to (i) pursue its claims and (ii) to resolve the dispute; and if he will make a statement. [157959]

Mr. Battle: This issue is now in the hands of the Belize Public Utilities Commission and the Belizean Government. We hope that it will soon be resolved.

EU Newsletter

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost of the *(a)* publication and *(b)* distribution of the spring 2001 EU Newsletter was; how many copies were published; and to whom it was distributed. [157763]

Mr. Vaz: The production costs came to £3,896.00 for 10,000 copies. Due to the use of the Foreign and Commonwealth Office internal post system for the distribution of many copies, we estimate that postage fees totalled less than £100.00.

Recipients included UK MEPs, MPs, British Embassies in the EU, UK Universities, Local Government Authorities and the European Commission Representation in the UK for onward transmission to public libraries and European Information Centres.

Keith Vaz

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 March 2001, *Official Report*, column 776W? if, in his discussions with the hon. Member for Leicester, East (Mr. Vaz), he asked the hon. Member if he had sought to ensure the co-operation of witnesses in respect of each of the complaints in relation to which the Parliamentary Commissioner reported she had not completed her inquiry. [157564]

Mr. Robin Cook *[holding answer 9 April 2001]:* As was clear from the previous reply, the discussion referred to took place after the publication of the report of the Committee on Standards and Privileges and after the Commissioner had brought her inquiries to a conclusion.

Kyoto Agreement

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what action is being taken by Her Majesty's Government and other European Governments to bring the United States back into the Kyoto Agreement. [157861]

Mr. Battle: The UK has raised climate change and the importance of the Kyoto Protocol at the highest levels in the US Administration. Our EU partners have also taken steps to persuade the Americans to remain in the Kyoto process; there have been bilateral contacts as well as a visit by the Environment Minister of Sweden, the Environment Commissioner and senior Belgian officials to Washington last week.

Over the period of the recently-launched US review of climate policy and in the run up the resumed international negotiations on the Kyoto Protocol in Bonn in July, the Government will continue strongly to urge full US participation in the international efforts to tackle climate change.

Ministerial Visits (Balkans)

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates he has visited *(a)* Croatia and *(b)* Bosnia-Herzegovina since January 2000. [157978]

Mr. Vaz: The Foreign Secretary has visited Croatia twice since January 2000: on 13 March 2000, meeting President Mesic and Prime Minister Racan, and on 23–24 November 2000 to attend the Zagreb Summit. I visited Croatia in February 2000. The Secretary of State last visited Bosnia in March 1998.

Human Rights (China)

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the objectives of the human rights dialogue between the United Kingdom and the People's Republic of China and the criteria he has established for the evaluation of its success. [157528]

Mr. Battle: HMG's overall objective in pursuing a structured human rights dialogue with China is to promote the highest possible adherence by China to existing international standards on human rights. While the specific objectives of each round of dialogue reflect issues of particular interest or concern at that time, the strategic direction of the dialogue process remains constant. To that end, the dialogue is accompanied by a comprehensive programme of technical advice and assistance on specific areas which give rise to human rights concerns.

In taking forward our dialogue with the Chinese Government, we are guided inter alia by the objectives agreed by the EU General Affairs Council on 22 January for the EU's own dialogue with China. These are:

ratification and implementation of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights;

co-operation with human rights mechanisms (visit by the UN Rapporteur on Torture, invitation to other Rapporteurs, follow-up to recommendations from conventional mechanisms and recommendations by Rapporteurs, implementation of the agreement with the Office of the UN High Commissioner for Human Rights);

in the context of seeking the universal abolition of capital punishment including in China, as a first step to promoting compliance with ECOSOC guarantees for the protection of those sentenced to death and restriction of the cases in which the death penalty can be imposed, in keeping with Article 6 of the Covenant on Civil and Political Rights; provision of statistics on use of the death penalty;

reform of administrative detention; introduction of judicial supervision of procedures; respect for the right to a fair and impartial trial and for the rights of the defence;

respect for the fundamental rights of all prisoners, including those arrested for membership of the political opposition, unofficial religious movements or other movements; progress on access to

prisoners in Chinese prisons, including in the autonomous regions; constructive response to individual cases raised by the EU;

exercise of freedom of religion and belief, both public and private;

respect for the right to organise;

respect for cultural rights and religious freedoms in particular in Tibet and Xinjiang, halt to the "patriotic education" campaign in Tibet, access for an independent delegation, acceptable to both sides, to visit Gedhun Choekyi Nyima, the child designated by the Dalai Lama as 11th Panchen Lama.

In addition, the UK's approach to the last two rounds of the dialogue with China was aimed at:

the end to jamming of the BBC World Service broadcasts;

freedom of expression and freedom of the press.

We will carry out regular reviews of the dialogue process, which will include an assessment of progress achieved on these objectives.

CULTURE, MEDIA AND SPORT

Departmental Policies (Lincoln)

Gillian Merron: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the Lincoln constituency, the effects on Lincoln of his Department's policies and actions since 2 May 1997. [152982]

Mr. Chris Smith *[holding answer 20 March 2001]:* Since May 1997, my Department has introduced and developed a variety of initiatives which will impact on my hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public Internet access through UK on-line learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Lincoln.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Lincoln

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 98 national lottery awards to Lincoln, totalling £9,064,778.

Ten Millennium Award Winners have been identified from Lincoln and between them they have received grants totalling £29,400.

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 5,900 people aged 75 or over living in the Lincoln constituency.

English Heritage input:

Places of Worship Grants

St. Swithin, Lincoln, offered £28,700

St. John Ermine, Lincoln, offered £70,000—£66,000 paid to date

Secular Grants

17 Minster Yard, Lincoln £16,000 all paid

18 Minster Yard, Lincoln £21,000 all paid

Lincoln Castle (walls) £25,000 all paid (in two offers)

Conservation Area Partnership Scheme 1997–98 and 1998–99 total of £314,000 offered

Heritage Economic Regeneration Scheme 1999–2000 and 2000–01 total of £200,000 offered.

There are of course other initiatives in the wider context of the region which may have an effect on the Lincoln constituency. These are:

East Midlands Arts Board received £6,853,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £7,771,701 or by 12.4 per cent.

Lincolnshire Library Authority which received £60,980 in 1999–2000 for an ICT project

The National Foundation for Youth Music are currently considering bids for Lincoln but they have not been confirmed as yet.

My Department has also given support to Supporters Direct, who have been instrumental in assisting the formation of the Supporters' Trust that has recently taken over the ownership of Lincoln City Football Club.

Departmental Policies (Chichester)

Mr. Martyn Jones: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the Chichester constituency, the effects on Chichester of his Department's policies and actions since 2 May 1997. [155280]

Mr. Chris Smith: Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on the constituency of Chichester which promote our objectives of access, excellence, education and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10".

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a taskforce which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulate development of content to support the Network.

We have set up a Regional Cultural Consortium in each of the English regions outside London to champion culture and creativity, including heritage, sport and tourism, and to draw up regional cultural strategies identifying regional objectives and priorities.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including Chichester.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

Chichester

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 93 national lottery awards to Chichester totalling £8,561,530.

Thirty-five Millennium Award Winners have been identified from Chichester and between them have received grants totalling £80,834.

ReSource have recently allocated £75,888 from the Designated Challenge Fund to the 'Weald and Downland Open Air Museum'. They were previously allocated £64,000 in May 2000 and £72,800 in July 1999.

English Heritage have offered the following grants.

£

Site	Offer date	Grant offer	Payments to date
St. Andrew's Church, Tangmere	13 March 2001	17,000	None
Cowdray Castle, Midhurst	27 March 2000	200,000	None
St. Giles Church, Merston	30 March 2000	32,385	None
St. Mary and St. Gabriel, South Harting	12 January 1998	81,100	72,990
The Chapel, Petworth House	24 March 1998	18,000	18,000
Chichester Cathedral (South West Tower)	—	2,500	2,500
Chichester Cathedral (Nave Aisle)	—	13,000	13,000

Information on the number of beneficiaries of free television licences by constituency is not available, but estimates based on the 1991 Census indicate that there were approximately 10,500 people aged 75 or over living in the Chichester constituency.

There are of course other initiatives in the wider context of West Sussex which may have an effect on the Chichester constituency. These are:

West Sussex Library Authority, which includes the Chichester constituency, was a partner in a consortium which received an award of £145,138 from the DCMS/Wolfson Public Libraries Challenge Fund in 1998–99.

South East Arts received £4,046,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £4,847,711 or by 19.8 per cent.

Grants (London Boroughs)

Ms Buck: To ask the Secretary of State for Culture, Media and Sport if he will list *(a)* each category of grant and *(b)* the amount of each grant paid by his Department to each London borough in (i) 1997–98, (ii) 1998–99, (iii) 1999–2000 and (iv) 2000–01; and what the projected figure is for 2001–02. [155431]

Mr. Chris Smith: Information about the various grants awarded by non-departmental public bodies such as the Arts Council of England, Sport England and English Heritage can be obtained from those bodies.

Information about grants awarded by the DCMS/Wolfson Public Libraries Challenge Fund and the Designated Museums Challenge Fund are described in the following tables:

DCMS/Wolfson Public Libraries Challenge Fund—awards to London library authorities

£

Local authority	1997–98	1998–99	1999–2000	2000–01
Barking and Dagenham	—	—	—	60,000
Barnet	114,873	—	—	[1]160,739
Bexley	—	—	—	47,571
Brent	63,000	—	—	49,758 and [1]116,823
Bromley	—	—	—	—
Camden	—	—	[1]109,233	[1]160,739 and [1]116,823
City of London	—	—	—	—
Croydon	—	128,446	—	[1]149,645
Ealing	49,096	—	102,187	27,845
Enfield	—	—	—	160,739
Greenwich	—	—	—	—
Hackney	—	—	[1]109,233	[1]66,649
Hammersmith and Fulham	—	—	—	[1]116,823
Haringey	86,419	—	—	[1]160,739 and [1]66,649
Harrow	—	—	—	—
Havering	—	—	—	[1]160,739
Hillingdon	—	—	—	[1]116,823
Hounslow	—	—	—	—
Islington	—	—	[1]109,233	[1]149,645 and [1]160,739 and [1]66,649
Kensington and Chelsea	—	—	—	[1]116,823
Lambeth	—	—	165,679	—
Lewisham	—	—	—	—
Merton	—	—	—	32,225 and [1]7,482
Newham	—	—	—	[1]160,739
Redbridge	—	—	—	[1]160,739
Richmond Upon Thames	—	—	—	—
Southwark	40,191	—	—	25,189
Sutton	—	—	—	[1]7,482
Tower Hamlets	—	—	—	[1]160,739
Upper Norwood	—	—	—	—
Waltham Forest	—	—	—	[1]160,739
Wandsworth	50,000	—	—	—
Westminster	—	—	—	[1]116,823

[1] The authority was a partner in a consortium of authorities which received the amount indicated. It is not possible to say what proportion of consortium awards benefited a particular partner authority

We cannot give projected figures for 2001–02 as DCMS/Wolfson is a challenge fund and considers projects from across England on the basis of merit.

Designated Museums Challenge Fund[1]

£000[2]

Borough/Museum	*1999–2000*	*2000–01*	*2001–02*	*Total*
City of Westminster				
Courtauld Gallery	50	75	75	200
London Transport Museum	52.5	95	95.5	243
Total City of Westminster	102.5	170	170.5	443
LB of Camden				
University College London, Petrie Museum of Egyptian Archaeology	62	105	119	286
Jewish Museum	50	85	65	200
Sir John Soane's Museum	0	95	82.5	177.5
Percival David Foundation of Chinese Art	0	85	33.5	118.5
Museum of the Royal College of Surgeons	0	60	49	109
Total LB of Camden	112	430	349	891
LB of Lewisham				
Horniman Museum	100	99.5	63.5	263
City of London				
Museum of London	0	131.5	218.5	350
LB of Greenwich				
Royal Artillery Museum of Rotunda	0	0	89	89
LB of Southwark				
Dulwich Picture Gallery	52	80	60	192

[1] Allocations have been made to institutions in London between 1999–2000 and 2001–02 (the life of the fund)
[2] Rounded to the nearest £500
Note:
The figures reflect the Designated Museums Challenge Fund allocations made to museums and galleries in London in those years. These are not necessarily the figures drawn down by the institutions concerned in those years.

Departmental Policies (Southwark)

Ms Harman: To ask the Secretary of State for Culture, Media and Sport if he will set out, with statistical information relating as directly as possible to the London borough of Southwark, the effects on the London borough of Southwark of his Department's policies and actions since May 2 1997. [155981]

Mr. Chris Smith *[holding answer 2 April 2001]:* Since May 1997 my Department has introduced and developed a variety of initiatives which will impact on my right hon. Friend's constituency which promote our objectives of access, excellence, education, and creativity and employment. We have published our strategies to take this forward in "Tomorrow's Tourism" and "A Sporting Future for All", which was recently followed up by "The Government's Plan for Sport". We have tackled the issue of social inclusion taking forward the recommendations of Policy Action Team 10 on Arts and Sport and developing social inclusion policies across all our areas which is recognised within the most recent progress report "Building on PAT10."

We have given more support to the cultural and sporting infrastructure. The Spending Review 2000 secured a doubling of the budget for sport and the largest ever increase for the arts: an increase of 80 per cent. from £186 million in 1997–98 to £336 million in 2003–04. In taking forward our aim to develop the educational potential of culture and sport £40 million has been allocated to developing Creative Partnerships; we have established through lottery funding, the £30 million National Foundation for Youth Music; and secured an additional £130 million for primary schools sports and arts facilities through the Space for Sport and the Arts programme. With £120 million of central Government and Lottery funding we will be providing a school sports co-ordinator in one in four secondary schools to work with local primary and special schools to improve sporting provision and physical education for children in the most deprived areas. We have delivered free access to national museums for children and the over 60s and additional money will be provided to allow this to be extended to everyone in December 2001. We have commissioned a Task Force which is currently considering the issues facing non-national museums in the regions.

We have made improvements in the way the Lottery is spent to ensure a fairer distribution. The introduction of the New Opportunities Fund for spending on health, education and the environment has made a real difference to communities everywhere. For instance it has invested £120 million to support the People's Network, which will enable all 4,300 public libraries to offer free public internet access through UK online learning centres; and a further £50 million to stimulae development of content to support the Network.

We have established the Greater London Authority and an elected Mayor for London. The Mayor now has responsibility for most aspects of culture in London and has appointed a Cultural Strategy Group to advise him and to draw up a cultural strategy for London.

We have published a Green Paper "Culture and Creativity: The Next Ten Years", setting out how individual creative talent can be given the support it needs from childhood to flourish; how artists and cultural institutions can be freed from bureaucratic controls; and how the freedom to explore and enjoy creativity and culture can be made available to all.

Through their commitment to public service broadcasting, the Government have helped to foster an environment in which a creative, commercially successful broadcasting industry provides a wide range of UK-made, high quality, original programmes catering for all viewers and listeners. We have ensured a secure funding base for the BBC and S4C, while giving them the freedom to develop commercial operations which complement and support their public service remit. We have made clear in the Communications White Paper that public service broadcasting will continue to have a key role to play in the digital future. The Government have introduced free television licences for people aged 75 or over from 1 November last year.

My Department sponsors the British Tourist Authority (BTA) which continues to promote Britain effectively as an attractive tourist destination for overseas visitors. The BTA's successful marketing activities are aimed at bringing benefits to all parts of the UK, including the London borough of Southwark.

In delivering these initiatives we aim to make cultural and sporting activities inclusive ones, boosting participation and improving the quality of life for all.

London borough of Southwark

According to the information supplied to us by the distributing bodies for the national lottery awards database, there have been 470 national lottery awards to the London borough of Southwark totalling £52,454,303. 158 Millennium Award Winners have been identified from the London borough of Southwark and between them they have received grants totalling £400,323.

Under the Space for Sport and Arts scheme, Southwark local education authority has been allocated up to £2.2 million towards providing improved facilities for sport and arts in primary schools which can also be used by the wider community.

English Heritage (EH) Grants awarded since 2 May 1997:

Dulwich College—offered £56,118. Fully paid

St. George the Martyr—offered £36,298. Paid £33,153

St. Mary's, Rotherhithe—offered £50,960. Paid £44,350 (Project completed)

85 Blackfriar's road—offered £38,000. Paid £25,998

St. Peter's Walworth—offered £59,872. Paid £1,145

Conservation Area Partnership Schemes (CAPS)

Bankside offered £51,300

Bermondsey street offered £255,000

Local Authority Conservation Staff

Offered £47,559. Paid £17,321

Southwark Church of England Cathedral:

1998–99—offered £10,943. Fully paid

1999–2000—offered £8,852. Fully paid

2000–01—offered £55,000. Paid £47,000

Southwark Roman Catholic Cathedral:

1998–99—offered £45,000. Fully paid.

The Dulwich Picture Gallery has received the following allocations from the DCMS sponsored Designated Museums Challenge Fund:

	£
1999–2000	52,000
2000–01	80,000
2001–02	60,000
Total	192,000

Additional DCMS resources are being allocated to its sponsored national museums and galleries to enable those that charge for admission currently to go free from 1 December 2001. This will include the Imperial War Museum's Lambeth Road Headquarters subject, as elsewhere, to the agreement of its Trustees.

Information on the number of beneficiaries of free television licences by borough is not available, but estimates based on the 1991 Census indicate that there were approximately 5,600 people aged 75 or over living in the North Southwark and Bermondsey constituency.

There are other initiatives in the wider area which may have an effect on the London borough of Southwark. These are:

London Arts received £26,765,000 in 2000–01 from the Arts Council to support arts and cultural activity across its region. In 2001–02 this will increase to £29,886,048 or by 11.66 per cent.

Camberwell and Peckham have received one grant for £27,000 from the Millennium Festival.

Tobacco Sponsorship

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what help has been given to those sports which have relied on tobacco sponsorship; and if he will make a statement. [157315]

Kate Hoey *[holding answer 6 April 2001]:* Over the past two years, there has been extensive contact with the seven sports that sought assistance to make the transition from tobacco sponsorship. The taskforce of business and sponsorship has been there to make information available, offer advice to support the development of new marketing strategies, make initial contact with potential sponsors and offer professional advice on how the sports can start to position themselves in a changing marketplace.

The taskforce has now concluded the first phase of its work to identify the needs of the sports and ascertain how best it can assist them. Assistance with the replacement of existing contracts can most effectively be targeted in the 12 to 18 months before they lapse, which is the normal lead-in time for negotiating new sponsorship agreements.

I am in close touch with the seven sports affected and the taskforce has made clear to them that its assistance is still available as and when they require it.

The "Hanover"

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport (1) if the Advisory Committee on historic wreck sites was consulted about the length of the licence granted to excavate the wreck site of the "Hanover"; and if he will make a statement; [157425]

(2) for what reason the licence to excavate the wreck site of the "Hanover" is without a specific time limit; and if he will make a statement. [157426]

Mr. Alan Howarth: In July 1997 the "Hanover" wreck site was the subject of an emergency designation under the Protection of Wrecks Act 1973. Mr. Colin Martin, who was working on the site at the time, immediately applied for leave for judicial review of the Designation Order. The terms of the licence were agreed as part of the settlement of the action. The Advisory Committee on Historic Wreck Sites was not formally consulted on the terms of the licence but they were kept informed of developments throughout. Decisions on the granting of licences are for the Secretary of State to make, consulting as he sees appropriate. There is no set time limit for licences granted under the Protection of Wrecks Act.

Listed Buildings (Liverpool)

Mrs. Ellman: To ask the Secretary of State for Culture, Media and Sport if he will list the listed buildings there are in *(a)* the City of Liverpool and *(b)* Riverside constituency; and how much funding has been allocated to them to assist conservation in the last three years. [157432]

Mr. Alan Howarth: Statistics are not available for these geographical areas, but there are 3,125 listed buildings on Merseyside. The list can be consulted at the Department for Culture, Media and Sport, at Liverpool City Council or at the National Monuments Record Centre in Swindon. Over the last three years, buildings in Liverpool have attracted conservation grants from the Heritage Lottery Fund (HLF) and English Heritage totalling £43.4 million, of which £42.8 million was for buildings in Liverpool Riverside. These figures include a grant of £26.7 million from the HLF for development and refurbishment of the Liverpool Museum and Walker Art Gallery.

Royal Opera House

Mr. Efford: To ask the Secretary of State for Culture, Media and Sport (1) what discussions he has had with the Royal Opera House regarding its concessionary ticketing policy; and if he will make a statement; [157534]

(2) what discussions he has had with the Royal Opera House regarding the availability of standby tickets; and how many performances since the Royal Opera House reopened there have been for which standing tickets were available. [157535]

Mr. Alan Howarth: My right hon. Friend the Secretary of State and I have discussions from time to time with the Chairman and management of the Royal Opera House to ensure that Covent Garden is open to a broader audience and for the public to have the widest possible access to performances.

The Royal Opera House currently offers a number of concessionary and standby rates. These include:

For performances in the main auditorium where standby tickets have been made available on the day of performance, senior citizens, students, under 18s, those in receipt of Job Seeker's Allowance or Invalid Care Allowance, members of BECTU, MU, Equity, Incorporated Society of Musicians, the Friends of Covent Garden and Stage Pass, holders of a City of Westminster ResCard and residents of London WC2 postal area can buy one reduced-price ticket per person from the Box Office. Stand-by tickets for the best available seat are £12.50 for ballet and £15 for opera performances and, when available, will be released for sale four hours before curtain-up.

Customers with disabilities who join the free Royal Opera House Access List receive a 50 per cent. discount on tickets for themselves and a companion.

Senior citizens, students, under 18s and those in receipt of Job Seeker's Allowance receive a £1 discount off the ticket price of Backstage Tours.

Standing tickets are available at all performances of ballet and opera in the main auditorium.

Outside companies using the Linbury Studio Theatre or the Clore Studio Upstairs must honour the existing concessionary schemes.

Each season, at least two productions of opera will be relayed into the Covent Garden piazza free of charge.

The Royal Opera House companies continue to attract a large and varied audience for their work. In the first season after re-opening the House achieved over 90 per cent. capacity for performances of opera and ballet with ticket prices reduced in many areas. A broad and innovative programme of education work has involved over 100,000 school children as well as young people and adults from all backgrounds. I commend the board and management of the House for their commitment to making the Royal Opera House accessible to the widest possible audience.

Richmond Park

Mr. Colman: To ask the Secretary of State for Culture, Media and Sport when he will reopen Richmond Park to vehicular traffic. [157764]

Mr. Chris Smith: Discussions are under way between the relevant bodies, including the Royal Parks Agency and Historic Royal Palaces. I am hopeful that an announcement about the re-opening of Richmond Park, Bushy Park and the Home Park at Hampton Court will be made in the next few days.

Regional Arts Boards

Mr. Maclennan: To ask the Secretary of State for Culture, Media and Sport if he will initiate consultations upon the proposals made by the Arts Council of England to wind up the regional arts boards prior to their implementation; and if he will make a statement. [157988]

Mr. Alan Howarth: My right hon. Friend the Secretary of State was consulted personally by the Chairman and the Chief Executive of the Arts Council prior to the announcement of the proposed changes, and the Department for the Environment, Transport and the Regions was also informed. The development of the proposals will involve

further consultation with colleagues and stakeholders, and the views of the Regional Arts Boards themselves are being sought and will be considered closely.

INTERNATIONAL DEVELOPMENT

A/F Protein Inc.

Mr. Alan Simpson: To ask the Secretary of State for International Development (1) if *(a)* she and *(b)* her Department's officials met representatives of A/F Protein Inc. of Waltham, Massachusetts, USA; [157759]

(2) what representations *(a)* she and *(b)* her officials have received from representatives of A/F Protein Inc., of Waltham, Massachusetts, United States and what her response was. [157760]

Clare Short: Neither I nor any of my officials has met representatives of A/F Protein Inc. or have received representation from them.

Fish (Research)

Mr. Alan Simpson: To ask the Secretary of State for International Development (1) if she will list the overseas academic private sector, Governmental and non-Governmental organisations which have been funded partly or wholly by her Department to *(a)* conduct and *(b)* co-operate in, transgenic and genetic research into fish; and if she will list the purpose, timescale, costs and titles of that research; [157757]

(2) if she will provide a full project summary for project R7284, genetic improvement and utilisation of indigenous tilapia in Southern Africa, and the names of participating institutions and organisations in the United Kingdom and Africa. [157758]

Clare Short: This information is available on the DFID website www.dfid.gov.uk.

Mr. Alan Simpson: To ask the Secretary of State for International Development if she will list the international visits her Department has undertaken in connection with fish genetics programmes. [157277]

Clare Short: Staff in my Department participated in a workshop on "Practical Strategies for Poverty Targeted Research" which took place in Hanoi in November 2000.

Mr. Alan Simpson: To ask the Secretary of State for International Development (1) if she will list the members of the Aquaculture Research Programme, indicating their *(a)* scientific qualifications and *(b)* commercial interests; [157272]

(2) if she will list the advisers *(a)* to and *(b)* within the Fish Genetics Programme, indicating their commercial interests. [157273]

Clare Short: The information requested is available in the Bibliography of DFID fisheries research programmes, 1990–98.

Mr. Alan Simpson: To ask the Secretary of State for International Development if she will list the commercial partners involved in her Department's programmes working on GM fish stocks *(a)* in the UK and *(b)* internationally. [157278]

Clare Short: There are no UK or international commercial partners involved in our programme on GM fish stock which is entirely funded by my Department.

Debt Cancellation

Ms Julie Morgan: To ask the Secretary of State for International Development if she will urge other countries to adopt a policy of 100 per cent. debt cancellation to the heavily indebted poor countries at the next meeting of the World bank. [157536]

Clare Short: I am pleased that a number of countries are following the UK's lead in providing additional relief on their remaining bilateral debts for Heavily Indebted Poor Countries (HIPC).

We will continue to take every opportunity to encourage others to follow the UK's example, including at the spring meetings of the World Bank and IMF.

Palestinian National Authority

Mr. Stephen Twigg: To ask the Secretary of State for International Development if she will make further aid to the Palestinian National Authority conditional on a reduction in corruption; and if she will make a statement. [156897]

Clare Short: All UK aid is provided in a way which is well protected against corruption.

The people of the West Bank and Gaza are suffering badly from the effects of the current conflict and the economic sanctions imposed by Israel. We will continue to provide help to reduce poverty and support democratic and accountable government in the West Bank and Gaza.

SCOTLAND

Postal Services

Mr. Alexander: To ask the Secretary of State for Scotland what steps are being taken to improve postal services in Scotland; and if he will make a statement. [153579]

Mr. Foulkes: The Horizon project to computerise all post office systems is nearing completion. This will mean that all customers, regardless of location, will now have access to the same high technology and top quality service. Ring fenced support has been allocated over the next three years to implement recommendations in the Performance and Innovation Unit report on modernisation of the Post Office network.

The Government fully recognise the pivotal role which the Post Office plays in communities across Scotland. A new £2 million UK wide fund, which is available for the 2001–02 financial year to support initiatives to maintain or re-open post office facilities in areas where the traditional post office is closing, will help to strengthen the rural post office network in Scotland. All of these initiatives will ensure that we can build a post office network which goes from strength to strength.

Departmental Policies (Edinburgh, South)

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if she will set out, with statistical information relating as directly as possible to the Edinburgh, South

constituency, the effects on Edinburgh of the Department's policies and actions in health, education and other services since 2 May 1997. [155338]

Mr. Foulkes *[holding answer 26 March 2001]:* On health, a range of policies have been adopted since May 1997 to improve the NHS in Scotland. These measures include, for example, the abolition of the internal market and the commitment to substantial increases in expenditure on the NHS. All areas of Scotland, including Edinburgh and Edinburgh, South, benefit from these policies.

On education, between 1997 and 1999 there was a 10 per cent. reduction (from 63 to 57) in the number of primary school classes in Edinburgh, South with more than 30 pupils. Between 1996 and 1999, the number of teachers (full-time equivalent) employed in Edinburgh, South rose by 15 in primaries and by 12 in secondaries. The pupil-teacher ratio dropped from 21.5 to 19.7 in primaries and from 13.3 to 13.0 in secondaries over this period.

Between 1996 and 1999, the percentage of the S4 school roll gaining five or more Standard Grades at levels 1–4 in secondary schools in Edinburgh, South rose from around 61 per cent. to around 74 per cent.

Early in 1999, the City of Edinburgh council was awarded funding of £600,000 over three years for a New Community schools project under phase 1 of the pilot programme. Four primary schools in Edinburgh, South are included in the project (Fernieside, Gilmerton, Moredun and St. John Vianney RC).

Also early in 1999, the City of Edinburgh council was awarded £1.5 million over three years to implement an Education Action Plan to improve attainment in schools facing particular challenges. Two secondary schools in Edinburgh, South are covered by the Education Action Plan (Gracemount and Liberton High Schools).

Additional capital resources of £0.6 million in 1997–98 and £1.7 million in 1998–99 and 1999–00 were made available to the City of Edinburgh council under the New Deal for Schools for repairs to school buildings across the council's area.

The recurrent grant in aid allocations to the three Edinburgh Further Education colleges rose from £30.762 million for financial year 1997–98 by 9.9 per cent. to £33.812 million for financial year 1999–2000.

Since 1 July 1999, health and education have been mainly devolved matters for the Scottish Parliament and the Scottish Executive.

HOME DEPARTMENT

Capital Modernisation Fund

Maria Eagle: To ask the Secretary of State for the Home Department if he will make a statement on the impact of the Capital Modernisation Fund on his Department. [158176]

Mr. Straw: Modernising the criminal justice system is a cornerstone of effective crime fighting and in reducing the fear of crime. Capital Modernisation Fund investment in innovative Departmental programmes is ensuring that crimes are detected, offenders prosecuted, and victims supported more quickly, effectively and efficiently.

The Home Office has benefited from over £220 million investment from Round 1 of the Capital Modernisation Fund, including £150 million funding for a joint project with the Department for the Environment Transport and the Regions to reduce vehicle crime and improve security on housing estates.

It has also benefited from over £162 million investment from Round 2 of the Capital Modernisation Fund, including £25 million for the National Technical Assistance Centre to assist law enforcement agencies' ability to fight crime in the information age.

£4 million investment has already been secured from Round 3 of the Capital Modernisation Fund for the development by the Youth Justice Board of two small mother and baby units for girls under 18 which will enable sentenced or remanded young mothers to remain with their young babies where appropriate. The first unit should open by early 2003. A further £18 million has been secured to fund the capital costs of the Youth Justice Board's expansion of the secure juvenile estate.

I intend to announce details of further allocations to my Department from Round 3 of the Capital Modernisation Fund bidding process shortly.

Corruption White Paper

Mr. Pond: To ask the Secretary of State for the Home Department if he will make a statement on the Government's response to comments on the White Paper, "Raising Standards and Upholding Integrity: the Prevention of Corruption" (CM 4759). [158179]

Mr. Straw: The main proposals in the White Paper were to reform the law of corruption in the light of recommendations made by the Law Commission; to put beyond doubt that the crime of corrupting public officials extends to foreign public officials; to introduce a new offence of 'trading in influence'; and to take jurisdiction over United Kingdom nationals who commit bribery offences abroad.

We received six comments on the White Paper, most of which were broadly favourable to our main proposals. The main points made by commentators, and the Government's reaction to them, are contained in a paper which I have today placed in the Library.

I have decided to make two changes to the scheme set out in the White Paper in the light of comments received. Firstly, the legislation will include proposals for a new offence of 'trading in influence' which will apply to both the public and the private sectors. As the extension of the offence to the private sector is a new proposal I shall listen most carefully to the arguments on both sides when the Bill comes before the House. Secondly, the legislation will extend not only to England and Wales but to Northern Ireland as well.

I will bring forward legislation to implement the proposals at the earliest opportunity.

Asylum and Immigration Act

Mr. Miller: To ask the Secretary of State for the Home Department what plans he has to ensure that employers do not unlawfully discriminate when using the statutory defence against prosecution under section 8 of the Asylum and Immigration Act 1996. [158180]

Mrs. Roche: Section 8 of the Asylum and Immigration Act 1996 ("the 1996 Act") allows for the prosecution of employers who knowingly employ individuals without permission to work in the United Kingdom. A statutory defence against prosecution is available which requires that the employer obtain a copy of a document showing that the individual is entitled to take work.

There were concerns that, in seeking to avail themselves of this defence, employers were unlawfully discriminating by making more checks on job applicants than the defence in Section 8 requires or by targeting checks on racial grounds. That is why we undertook, in the Immigration and Asylum Act 1999, to issue a Code of Practice to employers on how to avoid racial discrimination when seeking to apply the defence.

In the light of that commitment the Government have prepared a Code of Practice that sets out the responsibilities of employers under the Race Relations Act 1976 and the 1996 Act and describes how employers can use the statutory defence in a way that avoids racial discrimination. In preparing the draft Code of Practice and summary, we consulted the Commission for Racial Equality, the Equality Commission for Northern Ireland and a number of other organisations.

We propose that this Code of Practice should come into force on 2 May. We plan to distribute copies to interested organisations, together with a summary, which should ensure that all employers can easily understand their responsibilities in avoiding racial discrimination. A copy of the code of practice has been placed in the Library.

Immigration Services

Mr. Plaskitt: To ask the Secretary of State for the Home Department if he will make a statement on the regulation of immigration advisers and immigration services providers. [158181]

Mrs. Roche: I announced on 6 March 2001, *Official Report*, column 121W, that the scheme for regulating immigration advisers under part V of the Immigration and Asylum Act 1999 would be brought into force on 30 April 2001. I have now signed a commencement order to that effect. From that date, it will be a criminal offence to provide immigration advice or immigration services in the course of a business in breach of the requirements of the Act.

It has never been the Government's intention that Members of Parliament should be subject to the regulatory scheme. Our advice is that Members of both Houses of Parliament, Members of the European Parliament, Members of the devolved legislatures, local councillors, and their staff, are not subject to the regulatory scheme when providing immigration advice or services in connection with their parliamentary and constituency duties. Immigration advice and services given in other circumstances, however, may be subject to the scheme.

I have also signed two exemption orders under section 84 (4)(d) of the Act, which will come into effect on 30 April 2001.

The Immigration and Asylum Act 1999 (part V exemption: educational institutions and health sector bodies) Order 2001 will exempt certain educational establishments and a number of public sector health bodies from the prohibition on giving immigration advice or services unless qualified. While there are some small differences between various parts of the United Kingdom, the main bodies exempted under the order are:

Universities, colleges and other bodies authorised to award degrees

Colleges of further education

Finally registered independent schools

The students' unions of all such bodies, as above

National Heath Service Health Authorities, Trusts and Boards.

The Immigration and Asylum Act 1999 (part V exemption: eligible voluntary bodies and relevant employers) Order 2001 will give a temporary exemption from the prohibition until the end of January 2002 to:

voluntary bodies which, by 30 April 2001, have provided the Legal Services Commission with written confirmation of their firm intention to apply for the Community Legal Service Quality Mark (ie. have committed themselves to apply for the Quality Mark)

employers and prospective employers of work permit holders.

Although these orders exempt the bodies concerned from the general prohibition on giving immigration advice and services and the associated criminal sanctions for breaching the prohibition, the exempted organisations, nevertheless, have to comply with the Code of Standards published by the Immigration Services Commissioner.

Home Detention Curfews

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list, for the period between the commencement of the Home Detention Curfew scheme and 31 March inclusive *(a)* the number of prisoners released on the scheme, *(b)* the number of prisoners convicted of each offence who were released on the scheme, with a breakdown of the offences committed, including offences committed by prisoners normally classified under the categories (i) other homicide and attempted homicide, (ii) other violence against the person, (iii) drug offences, (iv) assaults and (v) other offences, including a breakdown of the prisoners normally classified in the sub-category of other offences called other offences, *(c)* the average sentence (i) received and (ii) served, and the average period spent on the scheme, in respect of each offence, *(d)* the number of prisoners released on the scheme, with a breakdown of the offences committed who (i) breached the conditions of the curfew, (ii) disappeared and were recaptured, (iii) disappeared and remain unlawfully at large and (iv) had their licences revoked with reasons, *(e)* a breakdown of the offences committed by prisoners released on the scheme while on the scheme, including offences committed by prisoners who committed more than one offence and *(f)* a breakdown of the specific offences committed by prisoners released on the scheme who committed a further offence while on the scheme that was similar in character to that for which they were originally

convicted, including offences committed by prisoners who committed more than one offence; and if he will make a statement. [157979]

Mr. Boateng: I will write to the hon. Member.

Electoral Register

Mr. Bercow: To ask the Secretary of State for the Home Department, pursuant to his answer to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), of 11 December 2000, *Official Report*, column 59W, on the Political Parties, Elections and Referendums Act 2000, when it is proposed that on-line access to the electoral register will be provided to registered political parties and the Electoral Commission to enable them to fulfil the requirements of Part IV of the Political Parties, Elections and Referendums Act 2000; and if he will make a statement about the progress being made in providing such access. [158035]

Mr. Mike O'Brien: The project to provide such access has begun and bids to undertake the work have been invited. But it will take time to set up the necessary management mechanisms and put in place the technical requirements. We expect access to be available by 2003.

Mr. Bercow: To ask the Secretary of State for the Home Department (1) what action he is taking to ensure that registered political parties and the Electoral Commission are provided with updates of the electoral register to enable them to fulfil the requirements of Part IV of the Political Parties, Elections and Referendums Act 2000; [158005]

(2) pursuant to his answer to the hon. Member for Birmingham, Hall Green (Mr. McCabe) of 26 March 2001, *Official Report*, column 496W, and to the oral statement of 4 April 2001, *Official Report*, column 422, on updates of the electoral register, when he will publish amendments to paragraph 47 of the Representation of the People (England and Wales) Regulations 2001 to provide for registered political parties and the Electoral Commission to receive copies of updates of the electoral register; when he proposes that the amendments will come into force; and in what form the updates will be provided; [157984]

(3) pursuant to his answer to the hon. Member for Birmingham, Hall Green (Mr. McCabe) of 26 March 2001, *Official Report*, column 496W, and to the oral statement of 4 April 2001, *Official Report*, column 422, on updates of the electoral register, if he will instruct electoral registration officers to provide registered political parties and the Electoral Commission with updates of the electoral register to enable them to fulfil the requirements of Part IV of the Political Parties, Elections and Referendums Act 2000. [157985]

Mr. Mike O'Brien: We hope to publish, for consultation, draft regulations making further provision for the sale and supply of the electoral register towards the end of April. Subject to parliamentary approval, we anticipate that the regulations providing for the supply of updates of the full electoral register to registered political parties will come into force by the summer recess. The regulations will provide for updates to be supplied in data format unless the recipient requests otherwise.

In the meantime, it is open to registered political parties to request a copy of each new revised version of the register as it is published or to make other appropriate arrangements to check whether a donor is registered at the time his or her donation is received by the party.

As the supply of the register to registered parties is currently governed by regulation 47 of the Representation of the People (England and Wales) Regulations 2001, we cannot instruct electoral registration officers to undertake any actions that falls outwith that regulation.

The supply of the electoral register to the Electoral Commission is governed by regulation 46 of the 2001 Regulation. Regulation 46 already provides for the Commission to receive copies of lists of amendments to the published registers.

Firearms (Police)

Mr. Corbett: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the ACPO manual of guidance on police use of firearms which immediately preceded that issued in January. [157878]

Mr. Charles Clarke: The previous manual of guidance was, and must remain, confidential, because it contained numerous points of information which could have been valuable to criminals. The guidance has now been revised and has been placed in the Library, although some information must remain confidential for the reasons stated.

Prisoner Activity

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what was the average amount of purposeful activity per week per prisoner in 2000–01; and if he will make a statement. [157982]

Mr. Boateng: The number of average weekly purposeful activity hours for the period April 2000 to the end of February 2001 was 23.7. The data for February included in these figures are provisional and subject to validation by prisons.

Asylum Seekers

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make a statement on the Audit Commission report, "Halfway Home: An Analysis of the Variation in the Cost of Supporting Asylum Seekers". [157981]

Mrs. Roche: Following the publication last year of the Audit Commission's Report, "Another Country" we requested that it undertake research into why some local authorities were able to live within the grant limits set for supporting asylum seekers, while others, in similar circumstances, could not. The report, "Half Way Home" is the result.

We welcome this report and the sensible recommendations it makes about the way local authorities are reimbursed for supporting asylum seekers. We will discuss with the Local Government Association and the Association of London Government the best way of taking this forward, with a view to implementing a new grant scheme for this (2001–02) financial year.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many and what percentage of asylum seekers from Zimbabwe who applied for asylum in *(a)* each of the last six months and *(b)* in total have received a positive initial decision on their application (i) in total and (ii) of those who have been sent to Oakington; and if he will make a statement. [157980]

Mrs. Roche: The number of asylum applications from nationals of Zimbabwe during the last six months is shown in the table.

Month	*Asylum Applications*[1,2]
September 2000	85
October 2000	90
November 2000	130
December 2000	145
January 2001	125
February 2001	125
Total	700

[1] Figures rounded to the nearest 5
[2] Provisional figures

The number of initial decisions relating to applications of asylum from Zimbabwean nationals between September 2000 and February 2001 is only available for applicants dealt with at Oakington—the monthly breakdown is shown in the table. Information on the other Zimbabwean applications made in that period could be obtained only by examination of individual case records and is, therefore, available only at disproportionate cost.

Month	*Total Principal Applicants (Zimbabweans)*	*Number of Grants of Asylum*	*Percentage of Grants from Total*
September 2000	42	0	0
October 2000	54	0	0
November 2000	60	4	6.7
December 2000	59	0	0
January 2001	83	1	1.2
February 2001	89	2	2.2
Total	387	7	n/a

Mr. Ennis: To ask the Secretary of State for the Home Department how many asylum seekers have been housed in *(a)* England, *(b)* Barnsley and *(c)* Doncaster in the last 12 months. [157298]

Mrs. Roche: As at the end of February 2001, 21,410[1] asylum seekers (including dependants) were allocated accommodation in the UK by the National Asylum Support Service. Of these, 110[1] were allocated accommodation in Barnsley and 400[1] were allocated accommodation in Doncaster.

Information on the number of asylum seekers supported by local authorities under the previous support arrangements is not held centrally.

[1] Figures rounded to the nearest 10.

Mr. Oaten: To ask the Secretary of State for the Home Department what limits he has placed on the period an asylum seeker can be held in prison. [157011]

Mrs. Roche: There is no time limit on the period an individual may be detained under the Immigration Act 1971. However, detention is used only sparingly and for the shortest period necessary.

Miss Widdecombe: To ask the Secretary of State for the Home Department how many reports the Immigration and Nationality Directorate have received of asylum seekers convicted of offences while in the United Kingdom since 1999; and if he will make a statement. [157529]

Mrs. Roche *[holding answer 9 April 2001]:* The Immigration and Nationality Directorate is not routinely informed of the immigration status of all third country nationals convicted of criminal offences in the United Kingdom. The number who were referred for court recommended deportation in 1999 was 350. In the first half of 2000, 320 persons were recommended for deportation by the courts. It is not recorded how many of these had claimed asylum.

Details of the nationality or immigration status of a defendant charged or convicted with committing a criminal offence are not collected centrally on the Home Office Court Proceedings Database.

Miss Widdecombe: To ask the Secretary of State for the Home Department what the cost of asylum support is, including unaccompanied minors *(a)* in the period 2000–01, *(b)* estimated for the current financial year 2001–02 and *(c)* estimated for the period 2002–03; and if he will make a statement. [157522]

Mrs. Roche *[holding answer 9 April 2001]:* Estimated expenditure on asylum support, including unaccompanied asylum seeking minors in 2000–01 is £751 million (estimated final outturn). This is made up of:

Grant payments to local authorities for Adult, Families and unaccompanied asylum seeking children—£575 million

Support payments by the National Asylum Support Service—£115 million

Payments to Department of Social Service (DSS) for supporting asylum seekers on benefit—£56 million

Payments to the Scottish Executive for support to adults and families who applied before April 2000—£5 million.

The budget of £702 million for 2000–01 was made up of an original sum of £604 million for asylum support costs together with transfers of £60 million from the Department of Health for the costs of unaccompanied asylum seeking children and £38 million from DSS for Housing Benefit costs. The additional £49 million expenditure was as a result of additional funds being provided to asylum support because of savings elsewhere in the Immigration and Nationality Directorate budget.

Provisional estimates for asylum support costs for 2001–02 and 2002–03 were given in my reply of 24 July 2000, *Official Report*, column 450W, to the hon. Member for Aylesbury (Mr. Lidington). This funding will be reviewed if needed.

Miss Widdecombe: To ask the Secretary of State for the Home Department how many asylum seekers are *(a)* supported by NASS under the new support arrangements, *(b)* supported by local authorities under the previous support arrangements and *(c)* unaccompanied minors; and if he will make a statement. [157523]

Mrs. Roche *[holding answer 9 April 2001]:* As at the end of February 2001, 11,630 asylum[1] seekers (including dependants) were allocated subsistence only support by the National Asylum Support Service (NASS) and 21,400[1,2] asylum seekers (including dependants) were allocated accommodation and subsistence support by NASS.

Information on the number of asylum seekers being supported by local authorities under the previous support arrangements is not held centrally.

As at the 26 January 2001 there were 5,540[1] unaccompanied minors being supported in England by local authorities. The figures for unaccompanied minors being supported in Scotland and Wales are not held centrally.

[1] All figures are rounded to the nearest 10.

[2] A very small proportion of these cases may be allocated accommodation support only.

Departmental Policies (Hampstead and Highgate)

Ms Glenda Jackson: To ask the Secretary of State for the Home Department if he will make a statement on the effects, with statistical information, on Hampstead and Highgate of his Department's policies since 2 May 1997. [158015]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. 'Recorded Crime England and Wales, 12 months to September 2000' and 'Police Service Strength England and Wales, 30 September 2000' can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out below are examples relating to the Hampstead and Highgate constituency or the immediate locality:

Closed Circuit Television (CCTV)

London Borough of Camden, in partnership with the Metropolitan Police, were awarded £598,000 for a scheme extending the existing Camden Town Centre system with 17 new cameras and provision of a centralised control room. The scheme will encompass three London Underground stations in Camden Town, Chalk Farm and Mornington Crescent.

Youth Offending

Hampstead and Highgate is covered by the Camden Youth Offending Team (YOT). Multi-agency partnerships have been strengthened through the establishment of YOTs, involving staff from Social Services, Education, Police, Probation and Health Departments. Seven Youth Justice Board (YJB) Development Grants have been awarded to Camden YOT and Youth Service. The local authority continues to allocate over £300,000 per annum in grants to voluntary organisations, the YOT and other departments to develop preventative initiatives. Links are being developed between the YOT and the local minority ethnic communities.

A youth inclusion programme has been established in Castlehaven Ward for over 50 young people most at risk of re-offending. This is being funded through YJB and local authority grants for 2 years. The YJB awarded Camden YOT £94,000 for 2000–01 to develop a range of new services including: substance misuse; new Referral Orders and accommodation advice and support. Conditional approval has been given by the YJB for a new Intensive Supervision and Surveillance Scheme (ISSP), between Camden, Islington, Hackney and Tower Hamlet YOTs, to prevent custody and reduce re-offending by the most persistent offenders. Camden YOT is involved with the Police, Housing and Youth Service in response to anti-social behaviour and other local crime issues.

Camden is on course to achieve the multi-agency target of a 15 per cent. reduction in youth offending by March 2002. The YOT is working closely with the police and youth court to halve the time from arrest to sentence of persistent young offenders from 142 to 71 days. YOT preventative and early intervention referrals and services have increased significantly. These include: restorative conferences between victims and offenders; assessments and intervention in response to anti-social behaviour (to prevent the need for anti-social behaviour orders); assessments and enhanced services for looked after children at risk of re-offending; assessments and intervention for other high risk groups including young people involved in substance misuse and excluded from school.

Contact time with young people on court orders has doubled to twice weekly for three months, in accordance with revised national standards. The YOT national assessment tool has been implemented in Camden, enabling analysis of risk factors that contribute to young people offending. A new information system has also been purchased for the YOT, to enhance quality of monitoring.

More generally, all of the policies of the Home Office will impact on the residents of Hampstead and Highgate to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website "www.homeoffice.gov.uk".

Borough By-elections

Miss McIntosh: To ask the Secretary of State for the Home Department what representations he has received on the holding of a borough by-election on the same day as the county council election and general election; and if he will make a statement. [157869]

Mr. Mike O'Brien: None. Under existing legislation there is nothing to prevent a borough by-election from being held on the same day where the polls for the ordinary elections for county councils and a general election are being taken together. In that event, discretion on whether or not that casual election should also be combined with the other elections rests with the returning officers concerned.

Police Numbers

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department what the cause was of each revision to the statistics on police numbers for 31 March 2000 published in November 2000; and what the impact of each revision was on the difference between total police numbers for 31 March 2000 published in *(a)* November 2000 and *(b)* the final figures published on 15 January 2001. [157121]

Mr. Charles Clarke: No police strength figures were published in November 2000. The figures for 31 March first appeared in the Home Office Statistical Bulletin 'Police Service Personnel England and Wales as at 31 March 2000' published on 30 August 2000. A correction to the 31 March 2000 figures was made in the next police strength Bulletin (concerned with figures for 30 September 2000), which was first published on 14 December 2000. This correction was made because it was discovered there had been some double counting of the number of secondments to central services. This originated from the National Criminal Intelligence Service return being completed incorrectly. The overall police strength figures were revised downwards by 248 from 124,418 to 124,170.

The figures for 30 September 2000 which were published on 14 December 2000 were subsequently revised, and the Bulletin re-issued on 16 January 2001. There were no differences between the police figures for 31 March 2000 in these two Bulletins. The revisions made in the 16 January 2001 publication related to the figures for 30 September. There were two changes. First, the overall police strength figures were revised upwards by 451 officers because of undercounting by the Metropolitan Police Service (MPS). The number of officers seconded to Hertfordshire, Essex and Surrey had been deducted twice from the total number of officers.

Secondly, the MPS figure on minority ethnic officers on 30 September was corrected from 1,227 to 1,013 because the higher figure had included in the minority ethnic group some 214 officers classified as 'White Irish' or 'Other White'.

A further revision to the 30 September 2000 figures was made in the written answer given on 22 March 2001, *Official Report*, column 324W, to my hon. Friend the Member for Gravesham (Mr. Pond) which concerned police strength numbers on 31 January 2001. This was due to a correction from Northumbria police who reduced their total number of officers by 67 from 3,885 to 3,818.

Police Costs

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what was the cost of employing police officers as a percentage of the total force budget for each police force in England for each year since 1990. [156174]

Mr. Charles Clarke: The information requested is set out in the table which has been placed in the Library.

Illegal Trafficking (Prostitution)

Mr. Tynan: To ask the Secretary of State for the Home Department how many *(a)* arrests and *(b)* successful prosecutions there have been of individuals suspected of illegal trafficking in women and girls for the purpose of prostitution in the last 12 months. [157525]

Mr. Charles Clarke: It is not possible to identify persons in the Home Office's Court Proceedings Database who are arrested or prosecuted for offences connected with illegal trafficking in women and girls for the purpose of prostitution.

The available information relates to persons proceeded against and those convicted of certain offences of procuration as follows:

Persons convicted of certain offences of procuration in England and Wales in 1999

	Proceeded against	*Convicted*
Procuring female for immoral purposes, or using drugs to obtain or facilitate sexual intercourse (Sexual Offences Act 1956, sections 2, 3, 4, 22 and 23)	5	1
Detention of female in brothel or other premises (ibid, sections 24)	—	—
Living on earnings of prostitution or exercising control over prostitute (ibid, sections 30 and 31)	48	37

Information for 2000 is not yet available.

Mr. Tynan: To ask the Secretary of State for the Home Department how many people have been deported from the United Kingdom due to their involvement in the illegal importation of women and girls from abroad for the purpose of sexual exploitation or prostitution in the last 12 months. [157526]

Mrs. Roche: The Immigration Service does not routinely receive statistics on prosecutions for non-immigration criminal offences, such as the involvement in the illegal importation of women and girls from abroad for the purpose of sexual exploitation or prostitution, therefore no correlation of these offences and the deportation of offenders can be made.

Voluntary Search and Rescue

Mr. Cohen: To ask the Secretary of State for the Home Department what support his Department gives to local voluntary search and rescue organisations. [157439]

Mr. Charles Clarke: Local voluntary search and rescue organisations benefit from the support which the Home Office gives to the search and rescue community at the national level.

The Home Office (HO) provides technical advice on radio communications and spectrum matters to the National Controlling Committee which meets under the auspices of Association of Chief Police Officers (ACPO). The committee, among other activities, vets applications by local voluntary search and rescue organisations to use dedicated HO frequencies.

It is anticipated that the work of this committee and HO support will be transferred during April 2001 to the United Kingdom Search and Rescue (SAR) Communications Working Group under the newly formed UK SAR Strategic Committee.

Wrongful Convictions

Mrs. Ellman: To ask the Secretary of State for the Home Department what progress he has made in providing support for people who have been wrongfully convicted. [157445]

Mr. Charles Clarke: The Home Office has set up a working party to look at what might be needed, in terms of advice and counselling, needed by those released after successful appeal against conviction. A report has been prepared by a consultant and recommendations will go to Ministers by the summer.

Mrs. Ellman: To ask the Secretary of State for the Home Department how many people have been released on grounds of wrongful conviction in the past five years. [157446]

Mr. Charles Clarke: Provisional figures relating to prisoners whose appeal was upheld on release and who were discharged on appeal for the past five years are shown in the table.

Provisional figures for this year from 1 January to 28 February, inclusive, show that of the 13,587 final discharges so far, 58 had their appeal upheld on release and 25 were discharged on appeal.

Number of prisoners whose appeal was upheld on their final release from prison, and the number of prisoners who were discharged on appeal, for the past five years

Year	Appeal upheld on release	Discharged on appeal
1996	222	218
1997	231	251
1998	404	287
1999	473	282
2000	405	220
Total	1,735	1,258

Racism

Mr. Stephen O'Brien: To ask the Secretary of State for the Home Department how many complaints in relation to allegations of racism *(a)* were made, *(b)* were investigated by the police, *(c)* resulted in prosecutions and *(d)* resulted in successful prosecutions in (i) 1999 and (ii) 2000. [156076]

Mr. Charles Clarke *[holding answer 29 March 2001]:* Information recorded centrally shows that the number of racist incidents recorded by the police throughout England and Wales for the financial year 1998–99 was 23,049 and for 1999–2000 was 47,814. These are incidents recorded either under the Association of Chief Police Officers' definition of a racist incident

"any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person"

which applied until February 1999 or under the new simplified definition of a racist incident proposed by the Lawrence Inquiry, adopted at that time ("any incident which is perceived to be racist by the victim or any other person"). Incidents included here are therefore wider than the normal definition of a crime in the Crime Statistics and include low level harassment.

Information has been recorded centrally since 1999, relating to racially aggravated offences (the Crime and Disorder Act 1998 introduced a series of new racially aggravated offences from 30 September 1998), and published in 'Statistics on Race and the Criminal Justice System' on 18 January 2001 (a copy of which is in the Library). During the financial year 1999–2000 21,750 racially aggravated offences were recorded by police throughout England and Wales, of which 34 per cent. were detected by police. 3,815 racially aggravated offences were prosecuted at magistrates court. 1,073 (28 per cent.) resulted in convictions and 1,755 (46 per cent.) were either terminated early or acquitted and 990 (26 per cent.) cases were committed to the Crown Court for trial. A further 178 persons were tried at Crown Court, of whom approximately one half were convicted.

In terms of figures relating to investigations by police of these offences and any details regarding prosecutions relating to racist incidents, data are unavailable.

Police (Greater Manchester)

Mr. Stunell: To ask the Secretary of State for the Home Department how many vacancies there were for police officers in the Greater Manchester Constabulary in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [156182]

Mr. Charles Clarke: The available information is set out in the table. It compares the actual number of officers in post with the police authority's budgeted provision. Information on budgeted figures has been provided, where available, by the Chief Constable.

Greater Manchester Police

Year	Budgeted police numbers	Actual police numbers[1]	Vacancies
31 March 1992	7,057	7,061	0
31 March 1997	[2]n/a	6,922	n/k
31 January 2001[3]	[4]6,935	6,867	68

[1] Before 1 April 1995 actual police numbers were based on a headcount. Since April 1995 they have been counted on a full-time equivalent basis.
[2] The Greater Manchester Police budgeted figure for March 1997 was based on a headcount of 7,050. It is not therefore comparable to the actual figure which is based on full-time equivalents.
[3] Latest available published figures are currently those for 31 January 2001.
[4] The figures for January 2001 include the force's Crime Fighting Fund allocation.

I understand from the Greater Manchester Police that the vacancies at 31 January 2001 have now been filled.

Female Prisoners (Shackling)

Jackie Ballard: To ask the Secretary of State for the Home Department if he will make a statement about the shackling of a female prisoner from Highpoint to a prison officer during medical treatment recently. [155152]

Mr. Boateng: I have written separately to the hon. Member on this issue.

Pensioners (Home Security)

Mr. Paul Marsden: To ask the Secretary of State for the Home Department how many pensioner households have had Government funded and approved locks fitted to their homes; and if he will make a statement. [157587]

Mr. Charles Clarke: The "locks for pensioners" scheme that we are funding in conjunction with the Department for Environment, Transport and the Region's Home Energy Efficiency Scheme enables certain low income pensioners in high crime areas to have their house checked for security and if necessary to have additional security features such as door and window locks fitted. The scheme has been running in England for eight months and, by the end of March, almost 47,000 houses had been surveyed of which 22,441 were found to require security upgrades. So far, 21,715 of these have been referred to the registered installers and for 10,778 houses, the security upgrades are known to have been completed. The true figure will, however, be significantly higher as there can be a delay of several weeks between the work being completed and confirmation of this fact being received by the two organisations managing the scheme.

The equivalent scheme started in Wales only in February and, as yet, there are no centrally held figures for the numbers of Welsh households that have had improved security fittings as a result.

We have also funded a number of projects that provide security upgrades to burglary victims or other vulnerable people under our Reducing Burglary Initiative. We do not, however, have central records of the numbers fitted or whether the recipients were pensioners.

Juries

Mr. Hilary Benn: To ask the Secretary of State for the Home Department if he will make a statement on the progress of the review on whether deaf people should be allowed to serve on juries. [157232]

Mr. Charles Clarke: The Government are intending to publish a consultation paper on the implications of third party support for jurors, including the use of interpreters for deaf jurors, within the next few months.

Domestic Violence

Ms Moran: To ask the Secretary of State for the Home Department what estimate he has made of the cost to public funds of dealing with domestic violence in the last 12 months. [157547]

Mr. Charles Clarke: We have not, in the last 12 months, undertaken an assessment of the cost to public funds of dealing with domestic violence. We know that this cost is a significant one: the research study "Counting the costs; estimating the impact of domestic violence in the London Borough of Hackney" published by Crime Concern in 1998, estimated the total cost of providing services for the survivors of domestic violence in Greater London to be in the region of £278 million per annum. This gives a fair indication of the scale of the costs involved.

The Government are determined to reduce all crimes of violence including domestic violence, which is a serious crime accounting for just under a quarter of all violent crime. Our strategy for doing so is set out in "fighting violent crime together: an action plan" which was published in January.

Crime (Blyth Valley)

Mr. Ronnie Campbell: To ask the Secretary of State for the Home Department what measures he proposes to tackle crime in Blyth Valley. [157297]

Mr. Charles Clarke: The Government are committed to tackling crime effectively, not only by reacting properly when it occurs and having the appropriate measures in place to deal with the perpetrators, but by preventing it happening in the first instance.

Recorded crime statistics published on 16 January 2001 showed that overall crime had fallen by 0.2 per cent. in England and Wales in the 12 months to September 2000. This compared with an overall fall in the Northumberland police area of 5.5 per cent.—the 10th consecutive year of crime reduction in that area. Data relating to the Blyth Valley Crime and Disorder Reduction Partnership showed lower than average rates of offences per 1,000 population in key areas, including violence against the person, robbery, domestic burglary and theft of and from a vehicle.

We support the Partnership in its work to develop local strategies for reducing crime and disorder. Its local initiatives to bring about overall crime reduction and tackle drug-related crime, include targeted policing, Closed Circuit Television and Neighbourhood Warden schemes.

We have recently announced £60 million funding over the next three years to support Crime and Disorder Reduction Partnerships and £300 million to tackle drug-related problems, £220 million of which will be directed through the 376 Partnerships, to deliver community-based strategies.

Police Protection (Ministers)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what the total cost of police protection was for former Ministers who *(a)* are and *(b)* are no longer hon. Members for the latest 12 months for which figures are available. [157608]

Mr. Straw: We seek to ensure the most effective and efficient protective security arrangements for public figures in the light of the changing threat from terrorism and other continuing risks. It is not our policy to comment on the details of protection arrangements for individuals, as to do so could compromise their security.

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for the Home Department if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157132]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and

communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out are examples relating to the Amber Valley constituency or the immediate locality:

Targeted Policing Initiative (TPI)

Derby constabulary was awarded a total of £407,000 for two schemes under round 2 of the TPI.

Derbyshire constabulary was awarded £317,000 for a force-wide project, which included; Mapping of the drug markets, identifying key targets and routes of supply, analysing information about the market and the production of an individual strategy for each market. The mapping of drug markets will allow for the creation of a dynamic approach to tackling the problem.

Derbyshire police (with other forces) was awarded £90,000 for a force-wide project, which included; Distraction burglary—Undertake research into the distraction burglary problem: its true extent, how offenders target victims and how offenders can be deterred once they have selected a potential target.

Closed Circuit Television (CCTV)

Amber Valley borough council was awarded approximately £127,000 for a 10-camera scheme, expanding the existing system into areas of Amber Valley's four main town centres, Alfreton, Belper, Heanor and Ripley.

Youth Offending

Amber Valley is covered by the Derbyshire Youth Offending Team (YOT). The Derbyshire YOT is providing Appropriate Adult services for young people when interviewed by police and has dealt with 242 requests for their services between April and December 2000. The Derbyshire YOT is utilising the ASSET assessment system in order to ensure intervention work is effectively targeted at the personal, family, social, educational and health problems that contribute to the causes of a young person's offending behaviour. The health staff attached to the YOT are carrying out basic assessments of young offenders for substance misuse and, where appropriate, referring them on to specialist substance misuse services for young people.

The police officers seconded to the Derbyshire and Derby City YOT have delivered 50 training sessions on the final warning scheme to over 1,200 police officers in order to ensure consistency of police assessment and referral to the YOTs. More than 12 community reparation schemes have been established throughout Derbyshire in order to allow the YOTs to deliver victim-offender mediation services. There is a wide range of activities available to meet the needs of the young person and provide opportunities for further development through accredited training and skills.

Youth Service staff play a lead role in the development of preventative initiatives to support the action plans of local Crime and Disorder youth crime reduction strategies at local council level. Derbyshire Youth Offending Service was successful in being awarded "Summer Splash" funding in July 2000. The service worked with other providers from both voluntary agencies and the local district council to deliver a variety of activities in four wards of Bolsover. This resulted in a marked reduction of nuisance calls and offending in this area.

More generally, all of the policies of the Home Office will impact on the residents of Amber Valley to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Departmental Policies (Eccles)

Mr. Ian Stewart: To ask the Secretary of State for the Home Department if he will set out, including statistical information relating as directly as possible to the Eccles constituency, the effects on Eccles of his Department's policies and actions since 2 May 1997. [157286]

Mr. Charles Clarke: The Home Office is working to build a safe, just and tolerant society in which the rights and responsibilities of individuals, families and communities are properly balanced, and the protection and security of the public are maintained. Detailed information on the impact of Home Office policies across the full range of responsibilities is set out in Home Office Annual Reports. A copy of the most recent report, Home Office Annual Report 2000–01, is available in the Library. Information on recorded crime and policing is also published. "Recorded Crime England and Wales, 12 months to September 2000" and "Police Service Strength England and Wales, 30 September 2000" can be found in the Library. The recorded crime statistics include information on recorded crime by Basic Command Unit and Crime and Disorder partnerships.

The impact of Home Office policies and actions is not normally examined by constituency and the statistics which the Department collects, such as recorded crime, cannot be matched in the way requested although set out are examples relating to the Eccles constituency or the immediate locality:

Reducing Burglary Initiative

Greater Manchester police in partnership with Salford city council were awarded approximately £253,000 for two schemes under round 2 of the Reducing Burglary Initiative.

One scheme for Pendlebury, Swinton Town Center, Valley Estate and Swinton Park was awarded nearly £80,000. The main interventions proposed are target hardening; community mobilisation; targeted policing and property marking.

One scheme covering Peel Green, Patricroft, Salford was awarded £173,000. The main interventions proposed are target hardening; a landlord accreditation service; community mobilisation and environmental resistance.

Closed Circuit Television (CCTV)

Salford city council has one scheme, potentially worth over £411,000, shortlisted for further consideration under round 2 of the CCTV Initiative. The scheme would cover parts of the Salford and Eccles constituencies.

Youth Offending

Eccles is covered by the Salford Youth Offending Team (YOT). While crime and fear of crime remain the most significant issue for communities, considerable progress has been made in the City during the past year, with the largest reduction of recorded crime within all of Greater Manchester. Total recorded crime reduced by 5.4 per cent, including a reduction in domestic burglary of 19 per cent., other burglary of 13 per cent. and a reduction in vehicle crime of 7 per cent. These figures indicate the success of a range of initiatives, such as the burglary reduction programmes. They reflect the determination of the partnership to continue in its multi-agency approach to the reduction of crime.

The Salford Youth Inclusion Project (YIP) is located in Seedley/Langworthy. The project started in July 2000 and receives up to £75,000 a year under the Youth Inclusion Programme. The objectives of YIP, administered by the Youth Justice Board are to: reduce arrest rates in the target group by 60 per cent.; reduce recorded crime in the area by 30 per cent. and achieve at least 1–3 reduction in truancy and exclusions among the target young people. YIPs provide targeted assistance to a core group of 13 to 16-year-olds most at risk of offending and school exclusion.

The Salford YIP is already working with 15–20 young people in this high-risk target group and over 60 young people more generally. The Salford YIP offers young people a robust assessment of their personal and training needs and an individually tailored package of assistance. This may include: mentoring; sports activity; arts and craft sessions themed around consequences of offending behaviour; education and training and pre-employment support and social skills development and health sessions.

The Salford YIP has successfully supported three of the 10 young people identified at most risk, into employment. A further two have taken up part-time employment. Five of the eight most persistent truants in the area have returned to school and a further group of at risk young people have taken up volunteering opportunities, continued into further education or joined the Army Cadets.

More generally, all of the policies of the Home Office will impact on the residents of Eccles to a greater or lesser extent. For example:

376 Crime and Disorder Reduction Partnerships have been established;

racial harassment and racially motivated crimes have been made criminal offences by the Crime and Disorder Act 1998;

the asylum backlog has been cut from 103,495 at the end of January 2000 to 49,690 by the end of February 2001; and

good progress is being made in reducing the incidence of fire deaths in England and Wales. They have dropped from 605 in 1997 to 534 in 1999.

Information on the Home Office and its policies is also published on its website www.homeoffice.gov.uk.

Stuart Howarth

Mr. Woolas: To ask the Secretary of State for the Home Department if he will instruct the Prison Service authorities to move Stuart Howarth (Et 7916) to an open prison; and what representations he has received concerning the appropriateness of the prison location where he is serving his sentence. [157229]

Mr. Boateng: No. The categorisation and allocation of prisoners is a matter for the Director General of the Prison Service. The Prison Service carries out the categorisation of prisoners according to a rigorous and objective assessment of the risk they present, and in accordance with established guidelines. These assessments are best carried out by those on the ground, but I can say that under the Prison Service Order on categorisation and allocation, a prisoner sentenced to more than 12 months for an offence of violence would not normally be regarded as suitable for category D (open conditions) on initial categorisation.

Mr. Howarth was sentenced on 27 March 2001, and following receipt of the necessary reports from the police and probation services and others, he will be categorised according to the likelihood that he will seek to escape and the risk that he would pose should he do so. Mr. Howarth's custodial behaviour and the risk he poses to control will also be taken into consideration.

Mr. Howarth's allocation to a prison establishment will depend on his security category, the need to make the best possible use of available spaces in training prisons, and his particular needs. I have not received any representations concerning the appropriateness of his current prison location. Furthermore, I understand from the governor of Manchester prison that Mr. Howarth has not made any representations locally about his location.

Immigration Rules

Mr. Wilkinson: To ask the Secretary of State for the Home Department if he will make a statement on changes to the immigration rules to facilitate the entry into the UK of information technology and e-commerce specialists. [157695]

Mrs. Roche: The Government have made a number of changes in the immigration system in order to facilitate the entry into the United Kingdom of highly skilled people.

The results of a fundamental review of the work permit system, operated by the Department for Education and Employment, were announced in the 2000 Budget statement and a range of measures have been introduced to streamline the system over the last year. This has led to a number of changes facilitating the entry of information technology and e-commerce specialists. For example, the skills shortages list, which makes it easier to obtain a permit where no European Economic Area (EEA) resident

is available to fill a post, has been updated to include more information technology and e-commerce jobs. Additionally, to ensure that the system responds quickly to shortages, a sector panel for the Information Technology Communications and Electronics industry has been established. Also, to be eligible for a work permit, two years' post-graduate work experience is no longer needed, thereby enabling non-EEA students with specialist skills to work immediately after graduation in the UK.

Other changes include a pilot scheme, launched by the Home Office in September 2000, to attract more business innovators to the UK. It is aimed at those entrepreneurs looking to develop business ideas in the service and technology sectors, especially e-commerce, even if they do not have substantial amounts of their own money to invest. 38 applications have so far been approved.

We are also developing a scheme designed to allow individuals of outstanding ability to come to the UK to seek work. This will help the UK in competing for highly skilled workers.

Security Service

Mr. Mitchell: To ask the Secretary of State for the Home Department what steps he has taken to recruit officers for the Security Service at universities other than Oxford, Cambridge and London. [157330]

Mr. Straw: The Security Service is committed to a policy of equal opportunity. The Service advertises in the national press and in media specifically offering employment opportunities for graduates from any higher education establishment, and not specific universities. Of those graduates recruited for the year 2000–01 as intelligence desk officers, at least 74 per cent. graduated from universities other than Oxford, Cambridge or London.

Mr. Mitchell: To ask the Secretary of State for the Home Department how many members of each ethnic group are employed in senior grades of the Security Service; and what proportion each grade represents of the total. [157331]

Mr. Straw: Currently, all senior employees in the Security Service, equivalent to Senior Civil Service grades, are white. The number of such employees represents 1.4 per cent. of total staffing

The Security Service has been working to raise its profile as an employer among under-represented groups, for example through the use of carefully targeted advertising. The Service is determined, through continuing recruitment campaigns, to have a work force that fully reflects the society that it defends.

Mr. Mitchell: To ask the Secretary of State for the Home Department what proportion of employees in senior grades in the Security Service are women. [157332]

Mr. Straw: Currently, 13.8 per cent. of the senior grades in the Security Service, that is grades equivalent to Senior Civil Service grades, are women.

Election Literature

Mr. Stephen O'Brien: To ask the Secretary of State for the Home Department what the total costs were of *(a)* paper, *(b)* printing, *(c)* distribution and *(d)* circulating letters dated 14 February to acting returning officers for parliamentary constituencies in England and Wales, returning officers for local government areas in England and Wales and electoral registration officers for district and London boroughs in England and Wales in relation to leaflet ER3 published by the Communications Directorate of his Department in January; what the cost was of the destruction of the leaflet; and if he will make a statement. [157634]

Mr. Mike O'Brien *[holding answer 9 April 2001]:* The leaflet "Make Your Voice Heard" informs the public of changes to the system of updating the electoral register allowed by the Representation of the People Act 2000 and implemented on 16 February 2001. The costs for production of this leaflet, which was changed due to an error in calculating the cut-off date for applying for registration on April's "rolling register", are *(a)* £15,627.50 for paper; *(b)* £23,905.38 for printing; and *(c)* £947.50 for distribution. The costs of informing electoral administrators about the availability of the leaflet were marginal as notification was sent by e-mail. The cost of re-cycling the leaflet is £200. The leaflet was re-issued and has been replaced by another which is not date specific.

Tower Blocks

4. **Mr. Hilary Benn:** To ask the Secretary of State for the Home Department if he will make a statement on the safety and security of residents in tower blocks. [156023]

Mr. Mike O'Brien *[pursuant to the reply to my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) in response to a supplementary question to that asked by my hon. Friend the Member for Leeds, Central on 9 April 2001, Official Report, column 693]:* My right hon. Friend the Home Secretary recently met my hon. Friend and local people involved in tackling the problems of drug abuse. I understood that the Home Secretary visited the Regent's Park and Kensington, North constituency as I informed the House but I have now been told that the meeting was at the House of Commons. I do, however, continue to assure my hon. Friend that tackling crack and associated drugs is high on the Government's agenda. We cannot tolerate the behaviour experienced by the residents in her constituency, and we are committed to addressing it.

EDUCATION AND EMPLOYMENT

School Discipline

Mr. Edwards: To ask the Secretary of State for Education and Employment what guidance he plans to issue on school discipline following the outcome of the Marjorie Evans case. [155231]

Mr. Paul Murphy: I have been asked to reply.

In Wales, that is a matter for the National Assembly for Wales.

Employment Service

Mr. Dismore: To ask the Secretary of State for Education and Employment what target levels have been set for the aims and objectives of the Employment Service in 2001–02. [156866]

Mr. Blunkett: The targets for the Employment Service, which I am announcing today, build on the success of the agency in delivering the Government's welfare to work policies, working in close partnership with employers and others. These targets pave the way for the new agency, Jobcentre Plus, whose pathfinder offices will begin work in October. They give stronger emphasis than ever before to helping individuals facing particular difficulty in the labour market to move from unemployment and economic inactivity into sustainable employment. The highest priority will be given to helping people who have been economically inactive for long periods, including lone parents, to find work, and to capitalise on the opportunities created by the new generation of New Deals. For the first time, the Employment Service will have a target to measure its success in helping long term unemployed people not only to find work but to remain in work. I will also be introducing, from October, two new targets: to support ES's efforts to achieve parity of outcomes for ethnic minority clients by 2004, and to support the key role which ES will play in identifying and remedying shortfalls in the basic skills of unemployed people, to enhance their employability.

I commend this package of targets. They are challenging for the Employment Service to deliver. I believe that the job entry targets are very stretching. I am looking for improved levels of customer service to jobseekers and employers, together with consolidation of the improved performance against the Jobseeker's Allowance Labour Market Activity target. These targets cover a full year, but I propose to carry out a comprehensive consultation and review later in the year that will inform the setting of targets for the new Agency for people of working age, called Jobcentre Plus, for 2002–03.

The targets for the Employment Service for 2001–02 are:

ES APA Text

Vision and Purpose

The Employment Service aims to make a major contribution to an efficient and flexible labour market, and to the Government's objectives of an increase in the effective supply of labour, and countering poverty and social exclusion by helping welfare recipients facing the most severe disadvantages to compete effectively for jobs. It does this by working closely with employers and with its private, voluntary and public sector partners to provide a quality service for all people without a job and to promote employment opportunities for all who can work. It aims to attract a diverse range of vacancies and to fill those vacancies quickly by matching the right people and skills with the right jobs. Its chief priority is to help individuals facing particular difficulty in the labour market to move from welfare and economic inactivity into sustainable employment. It does this through correct application of the Jobseeker's Allowance (JSA) regime, delivery of the New Deals, and provision of appropriate information, advice, training and support. The challenge and opportunity for the Employment Service, is to sustain continuous improvement in its services to jobseekers and employers and to make those services more accessible and relevant to customer needs, through effective use of modern technology and close working with a wide range of partners.

Aim

To help people without jobs to find work and employers to fill their vacancies.

Objectives and Targets

Objective A

To help all people without jobs, and particularly those on welfare and at a disadvantage in the labour market, to find and keep work by providing appropriate information, advice, training and support and by encouraging employers to open up more opportunities to them.

Targets

A1: To help into work 70,000 people who are either jobless lone parents, participants in the New Deal for Partners, participants in the New Deal for Disabled People or other disabled people claiming 'inactive' benefits.

A2: To help into work 410,000 participants in the JSA New Deals, New Deal 50+, Employment Zones, other disabled people not recorded in A1, and others at a particular disadvantage.

A3: To help into work 720,000 welfare recipients and other disadvantaged people.

A4: To help into work 1,225,000 jobless people.

A5: For 75 per cent. of long-term claimants to be off benefit 13 weeks after starting a job into which they were placed by the Employment Service.

Objective B

To ensure that the rights and relevant labour market responsibilities of people on JSA and other benefits are fulfilled, while helping to combat fraud and abuse of the benefit system.

Target

B1: To ensure that the relevant labour market responsibilities of people on JSA are fulfilled in 90 per cent. of cases checked.

Objective C

To harness new technology, the pursuit of excellence and continuous improvement to deliver effective, efficient and accessible services to all people without jobs and to employers, in Jobcentres and increasingly through other locations and means of communication.

Targets

C1: To achieve a 92.5 per cent. customer service level for jobseekers.

C2: To achieve an 82 per cent. customer service level for employers.

Objective D

To deliver services to all ES customers in a way which respects individual differences, helps to overcome disadvantages due to ethnicity, gender, age or disability and achieves the best possible outcome for each of them.

D1: From October: To achieve a proportion of new ethnic minority claimants who leave JSA for a job within 12 months, which is equal to the percentage of all white claimants leaving JSA for a job within 12 months (to work towards equality of outcomes by 2004.) (Target level to be announced.)

D2: From October: To screen benefit claimants for basic skills requirement and where needed refer for appropriate training. (Exact target wording and level to be announced.)

Milestone Target

By 30 September 2001, for 95 per cent. of jobseekers claiming JSA to have been asked to identify their ethnicity and for this answer to be recorded.

Target levels for the Employment Service in Scotland and Wales, derived from the GB wide targets, will be announced shortly.

BEST COPY AVAILABLE

Teacher Vacancies (Hazel Grove)

Mr. Stunell: To ask the Secretary of State for Education and Employment how many vacancies for teachers there were in the Hazel Grove constituency in *(a)* 1992, *(b)* 1997 and *(c)* 2001. [156176]

Ms Estelle Morris: The information requested above is not held centrally. The number of vacancies for teachers in the maintained sector for Stockport LEA were as follows:

	January		
	1992	*1997*	*2000*
Maintained nursery, primary and secondary schools	0	1	6
Maintained special schools	'—	0	1
Total	0	1	7
Vacancy rate (percentage)	0.0	0.1	0.3

' Not available

The latest year for which published data are currently available is 2000.

In 1992, vacancy figures were collected for the maintained nursery, primary and secondary sector only.

The number of regular teachers (excluding short-term supply) in the maintained schools sector in England at January 2000 was 404,600, the highest for ten years and 6,900 higher than January 1998.

There was a growth of 2,300 in the number of people recruited to train to be teachers between 1999–2000 and 2000–01, the first such increase since 1992–93.

From April 2001 new graduate recruits can expect to earn £17,000 a year (up 6 per cent. from the previous year) and starting salaries in Inner London will rise to £20,000 (up 9 per cent. from the previous year).

Sure Start

Helen Jones: To ask the Secretary of State for Education and Employment how many of the districts invited to develop programmes for the fourth wave of Sure Start programmes are districts which qualify for funding under the Neighbourhood Nurseries Initiative. [157116]

Yvette Cooper *[holding answer 9 April 2001]:* All 66 fourth wave Sure Start districts will be able to apply for funding under the Neighbourhood Nurseries Initiative. All the fourth wave Sure Start districts have large proportions of their population living in wards which are among the most deprived 20 per cent. in England according to DETR's Index of Deprivation. Any area covered by wards in the most deprived 20 per cent. wards in England can apply for funding under the Neighbourhood Nurseries Initiative. Guidance on the two initiatives strongly encourages close and co-operative working between Sure Start programmes and Neighbourhood Nurseries.

Helen Jones: To ask the Secretary of State for Education and Employment, pursuant to his answer of 28 March 2001, *Official Report*, columns 679–80W, on Sure Start (1) *(a)* if the information available on deprivation included statistics on the varying levels of deprivation within the borough of Warrington and *(b)* what assessment was made of health inequalities within Warrington when making a decision; [157176]

(2) what information was available to him on levels of deprivation and health inequalities in the *(a)* Bewsey, *(b)* Orford, *(c)* Poplars, *(d)* Hulme and *(e)* Poulton North wards in Warrington prior to making a decision on the fourth wave of Sure Start. [157177]

Yvette Cooper *[holding answer 9 April 2001]:* The Government identify Sure Start areas at the local authority district level using information from DETR's Index of Deprivation on levels of deprivation at the district level. Stakeholders in these districts are then invited to select a local catchment area for a Sure Start programme in that district based on their knowledge about local needs and levels of poverty and disadvantage and the Government's requirement that the area must

> "largely be covered by wards within the worst 20 per cent. of wards in England according to DETR's Index of Deprivation".

The stakeholders would be able to look at more detailed sub-district information, including that on health inequalities, in deciding on the local catchment area.

Helen Jones: To ask the Secretary of State for Education and Employment if he will list the Sure Start programmes identified to date, indicating the programmes which are located in areas which are among the 20 per cent. most disadvantaged areas as identified by the DETR index. [157117]

Yvette Cooper *[holding answer 9 April 2001]:* The information requested is contained in tables, copies of which have been placed in the Libraries.

Helen Jones: To ask the Secretary of State for Education and Employment, pursuant to his answer of 28 March 2001, *Official Report*, columns 679–80W, on Sure Start, if he will list those districts assessed for the fourth wave of Sure Start programmes; which indices were used to measure levels of deprivation in those areas; and if he will publish the results. [157175]

Yvette Cooper *[holding answer 9 April 2001]:* The information requested is contained in tables, copies of which have been placed in the Libraries.

Infant/Primary Schools

Judy Mallaber: To ask the Secretary of State for Education and Employment if he will list for each infant and primary school in Amber Valley the number of classes containing over 30 pupils on *(a)* 1 May 1997 and *(b)* the latest date for which figures are available. [157118]

Ms Estelle Morris: The Government do not publish figures for individual schools. In the table are the figures for the Amber Valley constituency and Derbyshire LEA. These clearly show that a significant number of children in Derbyshire are benefiting from being in smaller primary classes as a result of the Government's investment in education.

Number of classes with over 30 pupils—January 1997 and 2001

	1997	2001
Derbyshire		
KS1 classes	408	29
All primary classes	1,314	613
Derby		
KS1 classes	—	3
All primary classes	—	191
Amber Valley		
KS1 classes	33	5
All primary classes	122	95

— Not applicable

Notes:

1. In April 1997 Derbyshire LEA divided into two separate authorities—Derbyshire and City of Derby
2. Figures derived from returns made to the Department in January each year—Annual Schools Census

British Sign Language

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what percentage of schools teaching deaf children offer British sign language as part of the curriculum. [157233]

Jacqui Smith: This information is not collected centrally.

Stockholm European Council

Mr. Mitchell: To ask the Secretary of State for Education and Employment what studies have been made by institutions of the European Union concerning the demographic challenge referred to in paragraph 7 of the Presidency Conclusions of the Stockholm European Council. [157335]

Ms Jowell: I welcome the references in the Stockholm Conclusions to demography and active ageing, particularly the call at paragraph 9 for a joint report by 2002 covering this topic. I understand that European institutions have undertaken a range of studies, including a European Commission communication published in October 2000 and entitled "Communication on the future evolution of social protection from a long-term point of view: Safe and sustainable pensions". The Economic Policy Committee produced a report on a similar theme on 6 November 2000 entitled "Progress report to the ECOFIN Council on the impact of ageing populations on public pensions". A more technical overview is given by the Commission's Economic Paper 138, published in November 1999 by K. McMorrow and W. Roeger, entitled "The economic consequences of ageing populations". Further information on these and related documents can be found on the European Union's "Europa" website.

Mr. Mitchell: To ask the Secretary of State for Education and Employment where the new European Social Agenda, referred to in paragraph 25 of the Presidency Conclusions of the Stockholm European Council adopted at Nice was published; and what changes are envisaged in EU social policy in the next five years. [157337]

Ms Jowell: The new European Social Agenda was published as Annexe 1 to the Presidency Conclusions of the Nice European Council Meeting held on 7, 8 and 9 December 2000. This is easily accessible through the European Union "Europa" website. A text of the European Social Agenda was deposited in the Libraries of both Houses on 19 December 2000.

The European Social Agenda sets out a framework and proposals to modernise European social policy over the next five years. Many of the proposals will contribute directly to the Lisbon strategic goal of becoming "The most competitive and dynamic knowledge based economy in the world", for example commitments to increasing employability through lifelong learning, and addressing skills shortages, particularly in ICT.

The initiative now lies with the Commission to bring forward individual proposals. The UK Government will continue to scrutinise each proposal as it is brought forward to ensure that it has a proper treaty base.

School Standards and Framework Act

Mr. Jenkin: To ask the Secretary of State for Education and Employment if it is the policy of the Government that independent appeals tribunals under section 94(6) of the School Standards and Framework Act 1998 should inform appellants that their decisions are binding in law. [157459]

Ms Estelle Morris *[holding answer 9 April 2001]:* Paragraph 15 of Schedule 24 to the School Standards and Framework Act 1998 specifies what information an appeal panel must give to appellants when informing them of the panel's decision on their appeal for a school place. It does not require appeal panels to inform appellants that its decision is binding on the admission authority whose decision is the subject of the appeal.

Mr. Jenkin: To ask the Secretary of State for Education and Employment what assessment he has made of the compatibility of his powers to overrule an independent appeals panel under section 94(6) of the School Standards and Framework Act 1998 with the United Kingdom's obligations under the European Convention on Human Rights. [157460]

Ms Estelle Morris *[holding answer 9 April 2001]:* Section 96 of the School Standards and Framework Act 1998 provides local education authorities with a power of last resort to direct the admission of children to a foundation school when those children have been refused admission to, or been excluded from, all schools within a reasonable distance. Upon a referral from the governing body concerned, section 97 of the 1998 Act empowers the Secretary of State to name an alternative school in the direction. The Colne Community School was the subject of the last direction proposed by the Essex local education authority and referred to the Secretary of State. In the event, a vacancy arose and the pupil was admitted without the need for a direction.

The Court of Appeal has held, in R *v.* Richmond LBC ex parte JC, that the requirements of Article 6 of the European Convention on Human Rights are not engaged in admission appeals, because admission appeals are determinative only of parents' preferences as to the school at which they wish education to be provided for their child, rather than any civil right of the child.

Mr. Jenkin: To ask the Secretary of State for Education and Employment what the policy of the Government is concerning overcrowded schools, with particular reference to the Colne Community School, Essex. [157461]

Ms Estelle Morris *[holding answer 9 April 2001]:* The School Standards and Framework Act 1998 requires each maintained school to have a 'standard number', which is the minimum number of pupils it must admit, if there is demand. This continues a principle established in the Education Reform Act 1988. Where an individual school chooses to have a higher 'admission number', that is the minimum number of pupils it must admit, where there is demand. Once an admission number has been set, the admission authority must respect that number, unless exceptional circumstances apply.

The Colne Community School, like all other maintained schools, can refuse applications for places once the standard number, or higher admission number, has been reached. But the 1998 Act makes sensible provision for local education authorities to place children in schools which have reached their standard number, or higher admission number, if all other schools within a reasonable distance have refused the child a place or where the child has been excluded from all other schools within a reasonable distance. The alternative would mean the pupil attending a school beyond a reasonable distance.

Administrative Burdens (Schools)

Mr. Coaker: To ask the Secretary of State for Education and Employment what steps he is taking to reduce administrative burdens in schools. [157775]

Jacqui Smith: The Government are fully committed to reducing administrative burdens in schools in order to allow teachers to concentrate on teaching and raising standards. Examples of our action to do so include:

We have guaranteed to cut by a third the number of documents, and by a half the number of pages, that the Government send automatically to schools during this school year—in the first two terms of this school year, we will have halved the paperwork we sent to schools, compared with the first two terms last year.

We have radically simplified this year's Standards Fund—we have replaced bidding, claiming and reporting with a single expenditure returns sheet; we have allowed schools to vire funds between almost all grant headings; we have allowed schools to carry funds over to the end of the school year; and we have introduced monitoring against existing targets.

We have placed model schemes of work on the DfEE website to underpin all National Curriculum subjects at Key Stages 1–3—they are entirely voluntary and teachers may adopt them or adapt them as they wish. These have now been joined by over 1,000 useful lesson plans and resources in a further effort to reduce paperwork and make the necessary lesson preparation as straightforward as possible.

We have developed new ICT resources, including the launch of:

(a) EASEA—a full electronic in-tray and document archiving service for head teachers, teachers and governors that now has 7,000 registered users

(b) TeacherNet—a single web page offering links to the full range of educational resources on the internet

(c) an internet based "A-Z" of school leadership and management—an electronic encyclopaedia for heads with succinct, practical guidance on a wide range of topics, full search facilities, and links through to reference material on organisational and legal issues, and examples of good practice.

We have harnessed DfEE and Cabinet Office resources to simplify some of the paperwork that schools complete—the first results of this joint project are set out in the "Making a Difference: Reducing School Paperwork" report. This shows potential savings for a typical school of over 200 hours every year—equivalent to more than a month's work for one person; and across the school system 4.5 million hours could be saved annually.

We are reducing data collection and avoiding data request duplication. We have set up a high level group with head teacher representation to review all new and existing DfEE data collection. This approach has been extended to involve QCA, Ofsted and TTA. We are also developing a common set of data for schools that, from 2002, will be collected once only and shared electronically by all authorised parties and agencies.

Teacher workload is being reduced with 44,000 FTE extra non-administrative support staff, including teaching assistants and learning mentors, since 1997. Within this, we have provided funding to recruit and train an additional 20,000 FTE teaching assistants between 1999 and 2002.

We have introduced a £35 million Technology Package to enable schools to invest in new computers for management and administration, provide training and install software to introduce a seamless system that will save the average school five days work per year.

We have reviewed Ofsted procedures. Ofsted inspections can be a source of pressure on teachers and we have taken steps to reduce that pressure through the reduced notice period; shorter 'light touch' inspections for the most effective schools; and extending the maximum interval between inspections to six years.

We have provided specific help for small schools. In 2000, we set up two grants within the Standards Fund to assist small schools and we have now merged these into a single Small Schools Fund. The Fund provides support for small schools to help them with the extra difficulties that administration and collaboration present. The Fund is worth £80 million in 2001–02 and is guaranteed for at least three years.

School Leavers

Mr. Steinberg: To ask the Secretary of State for Education and Employment how many *(a)* male and *(b)* female 16-year-olds left school in the last six years without recognised qualifications. [157824]

Ms Estelle Morris: The numbers of *(a)* male and *(b)* female pupils in England aged 16 who achieved no GCSE or GNVQ equivalent passes in the last six years are shown in the table.

	(a) Male	(b) Female	Total
1994–95	27,453	19,153	46,606
1995–96	27,142	19,071	46,213
1996–97	26,216	18,738	44,954
1997–98	22,539	15,329	37,868
1998–99	20,942	14,094	35,036
1999–2000	19,191	13,114	32,305

Head Teachers (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how much money will be paid to head teachers in schools in Coventry, South as a part of the education funding announced in the budget. [157857]

Ms Estelle Morris: Schools will receive School Standards Grant (SSG) on the basis of the number of pupils on roll as at 18 January 2001. The following table shows the amounts individual schools will receive:

	Amount (£)
Primary schools; middle deemed primary with no year 8 or 9 class; nursery schools; PRUs	
Fewer than 100.5 pupils	7,000
At least 100.5 but fewer than 200.5	13,500
At least 200.5 but fewer than 400.5	24,000
At least 400.5 but fewer than 600.5	30,500
600.5 or more	48,000
Secondary schools; middle deemed secondary; and middle deemed primary with year 8 or year 9 class	
Fewer than 600.5	58,000
At least 600.5	70,000
1200.5 or more	82,000
Special schools	
Fewer than 100.5	20,000
100.5 or more	28,000

It is intended that maintained schools will receive these sums in their delegated budget shares by mid May.

Also, schools will receive additional devolved capital funding, via a formula, based on a lump sum of £6,000 per school plus an amount based on the number of pupils in the school. In Coventry, South the nursery school will receive £7,168; primary schools will receive an average £10,639; secondary schools will receive an average £28,905 and special schools will receive an average £10,826.

General Teaching Council

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has for the involvement of teachers employed by local education authorities in central support services, in membership and registration on, and the work of, the General Teaching Council. [157866]

Jacqui Smith: From 1 June, all qualified teachers employed to teach in maintained schools and non-maintained special schools will be required to register with the General Teaching Council (GTC). Those that are employed by local education authorities in their central support services, but who are not deployed to teach pupils in schools, may be eligible to register voluntarily. The GTC is an independent organisation and it is for the Council to decide whether or how to involve teachers and others in their work.

Literacy and Numeracy (Camden)

Ms Glenda Jackson: To ask the Secretary of State for Education and Employment if he will list the data for the most recent figures which are available for *(a)* literacy and *(b)* numeracy in the London borough of Camden. [158017]

Ms Estelle Morris: The table shows the percentage pupils reaching the expected level or above in the Key Stage 1, 2 and 3 tests in Camden in 2000.

Percentage

	Reading	Writing	Spelling	English	Mathematics
Key Stage 1: Achieving level 2 or above	79	78	64	—	87
Key Stage 2: Achieving level 4 or above	79	50	—	72	70
Key Stage 3: Achieving level 5 or above	—	—	—	64	59

Teacher Support (Special Needs)

Mr. Coaker: To ask the Secretary of State for Education and Employment what steps he is taking to help teachers support pupils with social and emotional difficulties in schools; and if he will make a statement. [157906]

Jacqui Smith: Support is provided through the special educational needs component of the Standards Fund. In 2001–02, we are supporting expenditure to a total of £82 million on SEN. This includes support for the training and professional development of teachers and others dealing with pupils with SEN. It also covers support for work with pupils with emotional, behavioural and social development difficulties as part of activity designed to promote inclusion. Support is also provided through the National Healthy School Standard, which includes emotional health and wellbeing as one of its eight key themes.

The Government will shortly be publishing good practice guidance on promoting children's mental health in early years and school settings. The guidance will offer pointers and examples of good practice in the area of early identification and intervention for children and young people experiencing mental health problems in pre-school and school settings.

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Education and Employment if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157127]

Mr. Wills: Details of the effects of a range of the Department's policies on the Amber Valley constituency and Derbyshire LEA have been placed in the Library.

Departmental Policies (Eccles)

Mr. Ian Stewart: To ask the Secretary of State for Education and Employment if he will set out, including statistical information relating as directly as possible to the Eccles constituency, the effects on Eccles of his Department's policies and actions since 2 May 1997. [157285]

Mr. Wills: Details of the effects of a range of the Department's policies on the Eccles constituency and Salford LEA have been placed in the Library.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was spent on *(a)* criminal and *(b)* civil legal aid in (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01; and what the projected figure is for 2001–02. [R] [157429]

Mr. Lock: I shall reply to my hon. Friend as soon as possible.

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department has *(a)* commissioned and *(b)* evaluated on the impact of the Legal Services Commission on people excluded from civil legal aid as a result of the Access to Justice Act 1999. [R] [157434]

Mr. Lock: The Lord Chancellor's Department has commissioned a joint research project involving the universities of Nottingham, Oxford and Surrey. This will be the first major comparative evaluation of the effects of conditional fees on personal injury litigation and will report towards the end of this year. The research will contribute to a better understanding of the range of methods available for supporting litigation where risks are substantially removed from the claimant. It will also inform us how the legal services conditional fee market is operating and developing. The researchers will create a database that can be used in conjunction with data collected in future for the purposes of policy evaluation and for future policy changes.

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was spent on civil legal aid in relation to *(a)* social security, *(b)* employment, *(c)* landlord and tenant disputes, *(d)* immigration and nationality and *(e)* consumer issues in (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01; what has been the change in the level of civil legal aid since the creation of the Community Legal Service, to civil legal aid in each of these areas; and what plans he has to increase the allocation of civil legal aid for these areas. [R] [157430]

Mr. Lock: This information is not available in the format requested and could be obtained only at disproportionate cost.

Information is, however, available for expenditure on legal advice and assistance for 1998–99 and 1999–2000.

	£ million
(a) Social security and welfare	
(i) 1998–99	16.651
(ii) 1999–2000	14.903
(b) Employment	
(i) 1998–99	2.038
(ii) 1999–2000	1.936
(c) Landlord and tenant disputes	
(i) 1998–99	14.580
(ii) 1999–2000	13.262
(d) Immigration and nationality	
(i) 1998–99	48.800
(ii) 1999–2000	46.167
(e) Consumer issues	
(i) 1998–99	2.697
(ii) 1999–2000	2.518

Information for 2000–01 is not yet available.

Legal aid provision, whether under the previous or current legislation has never been allocated to specific case categories. Rather, the grant of legal aid has always depended on the merits of each individual application.

Community Legal Service

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the capacity of the community legal service to reduce *(a)* child poverty and *(b)* social exclusion; and how these policy aims were incorporated in the Legal Service Commission corporate plan for 2000 to 2004. [R] [157433]

Mr. Lock: One of the key aims of the community legal service (CLS) is to help tackle social exclusion through improving access to legal advice, information and representation. This is reflected in the Lord Chancellor's Department's strategic objectives and public service agreement targets.

In order to measure how effectively the CLS is tackling social exclusion through meeting previously unmet need for legal help and information, we have commissioned the legal services research centre to undertake a major long-term research project to measure and characterise levels of legal need in England and Wales. It will be known as the national periodic survey and will be based on a survey of 4,500 households, and it should provide a reliable source of information on how well the CLS is achieving its aims. The national periodic survey will be complemented by the local needs surveys carried out by the CLS partnerships.

The Lord Chancellor's Department is also producing a paper in collaboration with the Law Centres Federation which will set out how the CLS is helping to tackle social exclusion and the future role it can play.

The Legal Services Commission's corporate plan for 2000 to 2004, includes a section on the CLS. The opening part of the section is concerned with the overall purpose and objectives of the CLS and it refers to the key aim of helping to reduce social exclusion. The plan makes the link between the Lord Chancellor's Department's strategic objectives and the public service agreement targets and explains how the CLS will help to reduce social exclusion.

There are no specific CLS initiatives or targets in relation to the category of child poverty, but this category is being taken forward under the overall heading of tackling social exclusion.

Disability Discrimination Act (Claims)

Mr. Hilary Benn: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people have received legal aid in respect of claims under the Disability Discrimination Act 1995. [157234]

Mr. Lock: In the 11 months from 1 April 2000 to 28 February 2001, two certificates were issued for people to receive legal representation in court cases under the Disability Discrimination Act 1995. It is not possible to identify the number of people who have received other levels of publicly funded legal service under the Disability Discrimination Act, as no specific case category exists on the computer system that records these types of work.

Immigration Adjudicators

Miss Widdecombe: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* full-time and *(b)* part-time immigration adjudicators are employed to hear immigration and asylum appeals. [157506]

Jane Kennedy: As of 1 April 2001 there are:

(a) 76 full-time and

(b) 323 part-time adjudicators.

Children and Family Court Advisory and Support Service

Mr. Ian Stewart: To ask the Parliamentary Secretary, Lord Chancellor's Department when she will publish the framework document for the children and family court advisory and support service. [158232]

Jane Kennedy: The framework document for CAFCASS has been published today. Copies have been placed in the Library and sent to interested parties. Further copies are available from the Department on request.

Law Centres

Mr. Stinchcombe: To ask the Parliamentary Secretary, Lord Chancellor's Department how much money was allocated to neighbourhood law centres in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000; and what plans he has to increase the budget allocation for such centres. [R] [157437]

Mr. Lock: The Legal Aid Board made grants to nine law centres. It made payments to these and other not-for-profit (NfP) organisations (including to law centres not funded by grants from the board) for civil legal aid work that they undertook. Total payments to law centres were:

(a) in 1997–98, £4.439 million out of a total payment to NfPs of £12.927 million;

(b) in 1998–99, £4.164 million out of a total payment to NfPs of £17.321 million; and

(c) in 1999–2000, £4.044 million out of a total payment to NfPs of £18.478 million.

Since January 2000, the Legal Services Commission (which has replaced the Legal Aid Board) has provided legal help services exclusively under contracts with providers able to meet the specified quality standards. The Lord Chancellor has directed the commission to spend at least £20 million on contracts with NfP organisations, including law centres and neighbourhood advice agencies. Contracts with NfP organisations let in the 15-month period January 2000-March 2001 had a value of £36,111,227.

On 12 March 2001, the Legal Services Commission issued a consultation paper about future funding within the CLS for the nine law centres which it funds by grants. The paper set out proposals for translating current grant funding into contract funding. The Lord Chancellor has said that he expects these grants to be phased out by April 2002 and to be replaced by contracted funding targeted on eligible clients and priority needs. The Legal Services Commission is working with the Law Centres Federation and the law centres to effect this change.

AGRICULTURE, FISHERIES AND FOOD

Forestry Commission Research Agency

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what targets were set for the Forestry Commission Research Agency for 2000–01; and what targets have been set for 2001–02. [158233]

Mr. Morley: The targets for the Forestry Commission Research Agency in 2000–01 and 2001–02 are as follows:

2000–01

1. To achieve a customer satisfaction rating of at least 96 per cent.
2. To increase the output of peer reviewed scientific papers submitted and subsequently accepted for publication by 10 per cent. on the 1998–99 actual.
3. To have the work of Woodland Ecology Branch and the statisticians reviewed by visiting groups.
4. To hold the weighted average cost of a researcher day to the same level as 1999–2000 in real terms.
5. To achieve a 2 per cent. reduction in real terms in the cost of support services.
6. To achieve 100 per cent. cost recovery including a return on capital employed of 6 per cent. in real terms.

2001–02

1. To achieve a satisfaction rating for FC customers of at least 96 per cent.
2. To maintain the output of peer reviewed scientific papers submitted and subsequently accepted for publication at 2000–01 levels.
3. To have the work of Pathology Branch and Environmental Research Branch reviewed by visiting groups.
4. To hold the weighted average cost of a researcher day and support services at 2000–01 levels in real terms.
5. To achieve at least 99 per cent. cost recovery including a return on capital employed of 6 per cent. in real terms.

Copies of the Forest Research Agency's Corporate Plan for 2001–04, which contains more information about the Agency's targets, will be placed in the Library of the House when it is published in May.

EU Enlargement

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement setting out the factors so far identified in the EU enlargement negotiations which could lead to a breaching of the current agricultural budgetary guideline. [157524]

Ms Quin: The financial perspective for 2000–06, agreed at the Berlin Council in March 1999, set aside up to 58 billion euro for spending in the new member states. This included 12.41 billion euro to extend CAP and rural development measures to the new member states. The Government's objective is to ensure that the financial perspective is respected.

Foot and Mouth

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food on what basis the level of compensation for the Animal Welfare Disposal scheme was set for *(a)* new season lambs and *(b)* ewes in lamb or with lamb. [156653]

Ms Quin *[holding answer 2 April 2001]:* The welfare payment for breeding ewes was derived from the pre-FMD value of a breeding ewe with lambs at foot which are normally traded at a fixed price per life. The value for new season lambs that have already been weaned and are being fed concentrates for the early lighter lamb market is a percentage of the expected market value. The rates of payment announced will apply for two months and be reviewed before expiry of the period.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the impact on the value of *(a)* domestic and *(b)* overseas United Kingdom livestock trade in each of the next five years based on the assumption of endemic foot and mouth disease. [156917]

Ms Quin *[holding answer 5 April 2001]:* No such estimate has been, or will be made. As my hon. Friend knows, the Government are committed to reduce and then completely eradicate the current foot and mouth disease outbreak thus ensuring that FMD does not become endemic in the UK.

Ms Oona King: To ask the Minister of Agriculture, Fisheries and Food if he will ensure that RSPCA officers are present during any cull of over 5,000 livestock. [157541]

Mr. Morley: The RSPCA have an open invitation to visit the major culling sites and they have already been to Great Orton several times.

Mr. Webb: To ask the Minister of Agriculture, Fisheries and Food if he will relax the rules regarding set-aside grasslands so that cattle from other farmers can be grazed on such grasslands where feed supplies are running short. [157371]

Mr. Morley *[holding answer 6 April 2001]:* A derogation from the arable area payment scheme to allow set-aside land to be used for grazing, where foot and mouth disease restrictions prevent movement of the animals, was announced on 16 March.

Organic Farming Scheme

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food how many farmers have made applications for funds from the organic farming scheme; and how many of those applications have been successful in each phase of the scheme since it began. [157161]

Mr. Morley: Between the organic farming scheme opening on 6 April 1999 and it closing for review on 30 November, 1,270 valid applications were received. Since the scheme re-opened on 2 January this year around 600 further valid applications have been received.

Correspondence

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food when he will respond to the fax of 20 March from the hon. Member for North Essex concerning restrictions relating to the welfare, movement and sale of livestock belonging to Mr. P. Gladwin of Carr House Farm, Great Wigborough, Essex. [157390]

Mr. Morley *[holding answer 6 April 2001]:* I replied to the fax from the hon. Member for North Essex on 4 April 2001.

Fisheries

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that the English fishing fleet receives financial assistance equivalent to that provided by the Scottish Executive for the Scottish fishing industry. [157241]

Mr. Morley: The decision to provide additional assistance worth £11.5 million for the restructuring of the fishing industry and rejuvenation of ports in England was made after careful consideration of the difficulties the industry has been facing.

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the recent OECD report on transitional financial assistance to the fishing industry. [157237]

Mr. Morley: The report by OECD on the economic and policy implications of transition to responsible fisheries is a welcome examination of the challenges involved in adopting more sustainable fishing methods across the developed world. One finding is that direct financial assistance to fishing industries can be detrimental to long-term sustainability unless it is carefully targeted at restructuring and complementary to management controls. This is consistent with the UK Government's view and the £22.5 million package of aid for the English industry which I announced on 2 April is designed with long-term environmental and economic sustainability in mind.

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will make available transitional aid to allow the fishing industry the means to introduce conservation measures and meet short-term losses arising from their introduction. [157240]

Mr. Morley: Grant is available under the EU fisheries scheme FIFG for the adoption of conservation measures, for example, selective fishing gear and diversification away from pressure stocks. This is a priority area of the funding I announced on 2 April. It is, however, not appropriate to compensate fishermen for conserving stocks from which they will attain long-term benefit.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food how much of the package of aid to the English fishing industry contained in the press release on this Department's website (Ref: 1219/01) is funding which has already been announced. [157881]

Mr. Morley: As explained in the press release, £11 million had already been committed to the FIFG grants scheme and I was launching the scheme in England. The £6 million funding for restructuring the industry and the £5.5 million DETR funding for rejuvenation of fishing ports were new announcements.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the criteria used for awarding the package of aid to the English fishing industry for decommissioning. [157880]

Mr. Morley: I will shortly be discussing with representatives of the industry how these restructuring funds should be used.

Aquaculture

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the compatibility of UK policies with the Code of Conduct drawn up by the Federation of European Aquaculture Producers for the development of sustainable aquaculture. [157269]

Mr. Morley: No formal assessment has been carried out, but the Government welcome the code as an initiative which promotes best practice which is consistent with statutory requirements.

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food if he will list the research studies used by the Government to evaluate the potential impact of the introduction of new, non-indigenous species to aquatic aquaculture. [157268]

Mr. Morley: There has been no need to date to conduct research studies in order to operate the controls which the Government apply, under the Prohibition of Keeping or Release of Live Fish (Specified Species) Order 1998, to the introduction into the wild of non-native species of fish.

PRIME MINISTER

Ministerial Code of Conduct

Mr. Robathan: To ask the Prime Minister, pursuant to his oral answer of 17 January 2001, *Official Report*, column 340, what advice he has received from the Parliamentary Commissioner for Standards regarding his ministerial code of conduct. [146655]

The Prime Minister *[holding answer 22 January 2001]:* I have nothing to add to my answer of 17 January.

Hollis Industries

Mr. Lilley: To ask the Prime Minister when No. 10 was advised that the inquiry into Hollis Industries contained evidence of £200,000 payable to the hon. Member for Coventry, North-West (Mr. Robinson). [157166]

The Prime Minister *[holding answer 6 April 2001]:* I refer the right hon. Member to my right hon. Friend the Secretary of State for Trade and Industry's reply to the hon. Member for Lewes (Mr. Baker) on 2 April 2001, *Official Report*, columns 5–6W, which sets out the facts relating to the conduct of the 1999 investigation into companies associated with my hon. Friend the Member for Coventry, North-West (Mr. Robinson) (principally Hollis Industries plc).

At no point were the contents of any papers or other documents obtained by the Department of Trade and Industry during the course of the investigation disclosed to No. 10.

Foot and Mouth

Mr. Peter Bottomley: To ask the Prime Minister if he has approved the transport to and entombment of animals from foot and mouth infected counties in landfill sites in foot and mouth free counties. [157753]

The Prime Minister: The disease eradication effort is organised on the basis of infected and non-infected areas, not county boundaries. Except in a few cases at the beginning of the outbreak, the policy has been to dispose of slaughtered animals within their infected areas, not to transport animals and carcases from infected to non-infected areas.

Mr. Paice: To ask the Prime Minister, pursuant to his oral answer of 28 March 2001, *Official Report*, column 954, if he will provide a breakdown of the figure for sheep movements in February. [157512]

The Prime Minister: Sheep movements are not centrally recorded. We have refined the estimate which I provided on 28 March. We now estimate that around 2 million sheep movements took place in Great Britain in February, before movement restrictions were imposed. This is broken down as follows:

980,000 movements to abattoirs; some 845,000 clean sheep and 135,000 ewes were slaughtered in February.

700,000 movements through markets; based on an estimate provided by the Meat and Livestock Commission (MLC). This estimate does not include multiple movements through markets. Some animals will enter more than one market either because they are withdrawn, or not sold and taken home, or sold and re-sold (often as dealers split and mix loads of sheep from different sources so as to produce uniform consignments that meet specific buyers' requirements).

100,000 movements; through private sales between farmers or between farmers and dealers, which do not figure in any of the above categories.

30,000 movements leading to live export.

Other movements, including a limited number of movements between holdings or back from winter grazings, brings the total to around 2 million.

Mr. Beith: To ask the Prime Minister if he will list the changes in the handling of the foot and mouth outbreak which have resulted from his actions since he took personal charge of the matter. [157793]

The Prime Minister: The overriding priority since the outbreak was first discovered on 19 February has been to mobilise the resources and logistics required to control and eradicate the disease. This has been achieved by keeping the situation under constant review within Government, and by involving all Departments that have a positive role to play in the eradication strategy.

BEST COPY AVAILABLE

Doctors and Dentists Pay Review Body

Ann Clwyd: To ask the Prime Minister if he will make an announcement regarding the Chair of the Doctors and Dentists Pay Review Body from 1 March. [158178]

The Prime Minister: I have appointed Mr. Michael Blair QC to be Chair of the Doctors and Dentists Pay Review Body from 1 March for a period of three years.

NORTHERN IRELAND

RUC

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many applications for early retirement and severance from the RUC have been turned down by the Chief Constable in the past three years, broken down by *(a)* perceived community origin, *(b)* gender, *(c)* police division, *(d)* membership of specialist units and *(e)* rank; and what the reasons were for turning down applications. [153819]

Mr. Ingram: No eligible officer has been turned down for voluntary severance/early retirement in the past three years.

HEALTH

Small Acute Hospitals

13. **Mr. Andrew George:** To ask the Secretary of State for Health what recent discussions he has had with the Royal College of Surgeons and the Royal College of Physicians regarding the clinical standards set in small acute hospitals. [156296]

Mr. Denham: Ministers regularly meet the Royal Colleges of Surgeons and Physicians. These colleges produce guidance on clinical standards in a wide variety of contexts. The NHS Plan sets out our intention to establish the Medical Education Standards Board to ensure that patient standards and the service needs of the NHS are fully aligned with the development of the curriculum and approval of training programmes.

Transplant Centres

14. **Mr. Brady:** To ask the Secretary of State for Health when he will announce his decision on the rationalisation of transplant centres. [156297]

Mr. Denham: Our decision will be announced in due course.

Placebo Medicines and Surgery

15. **Mr. Flynn:** To ask the Secretary of State for Health what recent investigations he has made into the outcomes of the use of placebo *(a)* medicines and *(b)* surgery. [156298]

Mr. Hutton: The Department, via the NHS Research and Development Health Technology Assessment Programme, funded a systematic review of the role of expectancies in the placebo effect and their use in the delivery of health care. The review was published as a monograph in March 1999, and a copy has been placed in the Library.

IVF Treatment

16. **Mr. Bob Russell:** To ask the Secretary of State for Health how many requests for IVF treatment were granted in the last year for which figures are available in *(a)* Darlington, *(b)* Southampton, Itchen, *(c)* Barrow and Furness, *(d)* Pontefract and Castleford, *(e)* Birmingham, Edgbaston and *(f)* Colchester constituencies. [156299]

Yvette Cooper: The information requested is not available centrally. Parliamentary constituency and health authority boundaries are not coterminous. The Department published a report of a baseline survey it undertook of infertility services in the National Health Service in 1997. Copies are available in the Library.

Cancer

18. **Mr. St. Aubyn:** To ask the Secretary of State for Health what targets he has set with respect to improving cancer treatment. [156301]

Yvette Cooper: The cancer plan sets out targets for waiting times standards so that by 2005 there will be a maximum two month wait from urgent general practitioner referral to treatment for all cancers. Linked to this is the extension of the cancer services collaborative from April; and the introduction of booked admissions for cancer patients by 2004.

21. **Mrs. Brinton:** To ask the Secretary of State for Health if he will make a statement on his strategy to combat cancers in men. [156304]

Yvette Cooper: The cancer plan is a strategy to tackle all cancers in the whole population. The NHS prostate cancer programme sets out our aims to improve treatment and research in this area, which affects a significant number of men every year.

26. **Mr. Greenway:** To ask the Secretary of State for Health what progress is being made in delivering improved cancer services. [156309]

Yvette Cooper: Cancer services are receiving record levels of investment. For this financial year £255 million is available for the achievement of cancer targets and milestones. It will support the appointment of new consultants; implementation of the National Institute for Clinical Excellence guidance to end the postcode lottery of care; cutting waiting times for cancer and increasing National Health Service investment in specialist palliative care services.

34. **Helen Jackson:** To ask the Secretary of State for Health what progress is being made on reducing waiting times for cancer treatment. [156319]

Yvette Cooper: The National Health Service cancer plan published in September sets out new waiting time targets for cancer treatment which will be implemented over the next five years.

Since April 1999 over 140,000 women with suspected breast cancer have benefited by being referred urgently by their GP and offered an appointment with a specialist

within two weeks. During 2000 this two week standard was rolled out for all patients with suspected cancer requiring urgent specialist investigation.

The cancer services collaborative (CSC) has demonstrated that by changing the way cancer services are provided, for example by pre-planning and pre-booking care, waiting times can be cut and a major impact can be made on cancer care. From 1 April 2001 the improvements in cancer care developed by the CSC are being rolled out to every cancer network in the country, supported by up to £15 million central funding to ensure the improvements are implemented throughout the country.

Mr. Paul Marsden: To ask the Secretary of State for Health what factors underlay the Government's estimate of the number of lives that will be saved from the Government's 10-year cancer plan target; and if he will make a statement. [156564]

Yvette Cooper: The "Saving Lives: Our Healthier Nation" White Paper published in July 1999 included a target to reduce the death rate from cancer in people under 75 by at least a fifth. Based on the assumption of steady improvement towards the target and the population characteristics present in 1997, it was estimated that achievement of the target would be associated with up to 100,000 lives saved over the period 1997 to 2010. Independent expert advice at this time suggested that 40 per cent. of the target reduction could come from improvements or extensions to screening programmes and better treatment, and 60 per cent. of the target reduction could be achieved through primary prevention such as reductions in smoking and improvements in fruit and vegetable consumption.

Health Inequalities (Halton)

19. **Mr. Derek Twigg:** To ask the Secretary of State for Health if he will make a statement on the allocation of resources to deal with health inequalities in Halton. [156302]

Yvette Cooper: The NHS plan says that by 2003, following review of the existing weighted capitation formula, reducing inequalities will be a key criterion for allocating NHS resources. While the review is undertaken, the "health inequalities" adjustment is being introduced for the year 2000–01 as a new non-recurrent allocation. North Cheshire health authority has received £1.15 million "health inequalities" adjustment, which will be used for the benefit of the residents of Halton and Warrington.

NHS Plan (Birmingham)

20. **Mr. Burden:** To ask the Secretary of State for Health what progress is being made in implementing the NHS plan in Birmingham. [156303]

Yvette Cooper: The NHS plan is being integrated with the Birmingham health authority health improvement programme and service and financial framework programmes to ensure a coherent and consistent approach to delivering the plan.

Additionally, the Secretary of State recently approved a major hospital development in South Birmingham and development of an ambulatory care and diagnostic centre on the City Hospital site.

Bed Blocking (Essex)

22. **Mr. Mackinlay:** To ask the Secretary of State for Health if he will investigate the causes and consequences of bed blocking in Essex. [156305]

Mr. Denham: The causes and consequences of delayed discharge are dealt with locally as part of the winter planning process. Considerable work has been undertaken on this issue by North and South Essex health authorities and local authorities.

Primary Care Trusts

23. **Mr. Amess:** To ask the Secretary of State for Health what recent representations he has received from doctors regarding the operation of primary care groups. [156306]

Mr. Denham: We have regular meetings with a range of organisations and receive feedback from primary care professionals on the operation of primary care groups. Primary care groups continue to provide a strong framework for doctors and nurses to support each other, and enable practices to innovate while ensuring that the benefits of innovation deliver high quality services for the whole local population.

35. **Mr. Healey:** To ask the Secretary of State for Health if he will make a statement on the role of primary care trusts in relation to local mental health services. [156320]

Mr. Hutton: Where it is appropriate and a primary care trust (PCT) has the capacity to do so, it can directly provide mental health services to its population in a primary or community setting. Alternatively where it is appropriate for mental health services to be provided by another organisation such as a National Health Service mental health trust, the role of the PCT will be to commission the service from that trust.

The decision as to which role a PCT will play is one for each local health system following consultation on any proposals to change the way services may be provided. These proposals would be as a result of the clinical needs of their patients as determined through the implementation of the National Service Framework for mental health services and the NHS plan.

Mr. Bill O'Brien: To ask the Secretary of State for Health what action he is taking to increase the number of general practitioners to improve the services of primary care trusts; and if he will make a statement. [156300]

Mr. Denham: We have recently announced measures (including financial incentives) to encourage general practitioner recruitment and retention. The primary care workforce review, due to report shortly, is expected to include further recommendations on numbers of GPs and other staff and on ways of working to deliver the planned expansion of primary care.

Care for the Elderly

24. **Mrs. Humble:** To ask the Secretary of State for Health if he will make a statement about improving the standards of care for the elderly. [156307]

Mr. Hutton: We are determined that older people should receive higher standards of care from the NHS and social services. The National Service Framework for

Older People, published on 27 March will deliver high quality health and social care, based on clinical and assessed need, not age. National minimum standards for care homes for older people, published on 2 March, will promote better quality care and help prevent abuse by grounding practice in the principles of dignity, choice, privacy and respect.

27. **Mr. Heppell:** To ask the Secretary of State for Health what progress has been made in making intermediate care available to ensure that elderly people remain independent for as long as possible. [156310]

Mr. Hutton: The Government are committed to promoting older people's independence. Additional money this winter was focused primarily on intermediate and transitional care. Recent intermediate care guidance and the National Service Framework for Older People emphasise the importance of establishing intermediate care as a mainstream service and a development priority. Targets have been set to ensure continued progress, backed by significant extra funding announced in the NHS Plan.

Smoking

25. **Mr. Ernie Ross:** To ask the Secretary of State for Health what progress is being made in preventing young people from taking up smoking. [156308]

Yvette Cooper: The most recent survey results indicate that smoking prevalence among children aged 11–15 is now at 9 per cent., down from 13 per cent. in 1996. This is very encouraging, but we are determined to ensure that this downward trend continues, for example by banning tobacco advertising, which particularly appeals to young people.

Mrs. Anne Campbell: To ask the Secretary of State for Health what progress is being made in preventing young people from taking up smoking. [156293]

Yvette Cooper: I refer my hon. Friend to the reply I gave my hon. Friend the Member for North-West Leicestershire (Mr. Taylor) on 10 April 2001, *Official Report*, column 842.

36. **Dr. Iddon:** To ask the Secretary of State for Health what progress his Department has made towards tackling smoking. [156321]

Yvette Cooper: We announced on 29 January 2001 a £3 million initiative to help co-ordinate locally all services for pregnant women who wish to give up smoking and on 14 March that we intend to amend the relevant regulations so as to allow doctors to prescribe any available nicotine replacement therapy as part of National Health Service treatment.

The Tobacco Advertising and Promotion Bill published on 14 December 2000 will ensure that tobacco is no longer promoted through advertising, sponsorship or other promotional schemes.

On 13 September 2000 we launched an enforcement protocol with local authorities to strengthen the enforcement of the existing legislation on under-age sales of cigarettes.

Respite Care

28. **Mr. Fabricant:** To ask the Secretary of State for Health if he will make a statement on his policy towards the provision of respite care. [156312]

Mr. Hutton: Respite care is important because it helps older people and disabled people to live in the community, and it allows informal or family carers to have a break from caring. The extra resources which the Government have provided for the National Health Service and for social services mean that more people can benefit from respite care, in a domiciliary setting, in a residential care home or nursing home, or in hospital.

Waiting Lists (Southend Hospital)

29. **Sir Teddy Taylor:** To ask the Secretary of State for Health what progress has been made in reducing waiting lists in Southend Hospital. [156313]

Mr. Denham: Significant progress has been made in reducing the waiting lists at Southend Hospital NHS Trust and it is working with primary care organisations to examine options for modifying referral patterns to help with this. The latest figures show that total number of patients waiting are about 4 per cent. below the end-March 1997 level.

Southend Hospital NHS Trust has made good progress with patients waiting over 12 months for treatment particularly in ophthalmology which contributed to over half of the waiting list last year.

Private Residential Nursing Homes

30. **Mr. John Smith:** To ask the Secretary of State for Health what plans he has to increase the use of private residential nursing homes by the NHS. [156314]

Mr. Hutton: We see an important role for the independent sector, working in partnership with the NHS and councils, in providing services and making best use of resources and facilities. A framework for closer partnership was set out in the Concordat between the National Health Service and the independent sector, "For the Benefit of Patients", signed on 31 October 2000. Intermediate care was one of three areas highlighted as a particular area for co-operation. Guidance issued earlier this year asked the NHS and councils to take into account the potential contribution of the voluntary and private sectors in providing intermediate care and, where appropriate, to develop services in partnership with independent providers. In order to help local health and social care partners to engage more effectively with the independent sector in the short term the Department has developed model contracts, available on the Department's website, as a basis for local contracts with independent providers.

Nursing homes can also be an appropriate setting in which people receive continuing health care fully funded by the NHS. Currently 10 per cent. of residents are fully funded by the NHS. It is, however, for local agencies to decide on the best way of providing services to meet the needs of local people.

Beta Interferon

31. **Mr. Todd:** To ask the Secretary of State for Health what assessment he has made of the costs of beta interferon to the NHS relative to those borne in other countries. [156316]

Mr. Denham: The Department has made no detailed assessment of the costs of beta interferon treatment in other countries. Direct comparisons of prices of products of this type can be misleading because they are often supplied direct to hospitals, making published list prices less significant. Furthermore some countries include distribution costs and some aspects of care within the list price while others account for them separately.

Pharmacists

32. **Mr. Ben Chapman:** To ask the Secretary of State for Health what progress he has made in improving the use of pharmacists within the NHS. [156317]

Mr. Denham: On 12 September 2000 we published "Pharmacy in the Future—Implementing the National Plan" (a copy of which is available in the Library). This set out our programme for pharmacy in the National Health Service, to make better use of the skills and expertise of pharmacists.

We have since made good progress in implementing that programme. For example: on 18 October, we launched the first NHS Direct information points. 16 are located in community pharmacies; on 12 December, we launched the hospital medicines management performance framework, to make the best clinical and cost effective use of medicines and pharmacists' skills in hospitals; on 21 December we published the Health and Social Care Bill, which includes measures relating to the establishment of local pharmaceutical services and the extension of prescribing rights to new groups of health professionals, including pharmacists; and on 12 March we invited bids for the sites to take part in a national medicines management collaborative programme, a key step towards our target that by 2004 all primary care groups and trusts will have schemes so that people get more help from pharmacists in using their medicines.

Paddington Regeneration Partnership

33. **Mr. Wilkinson:** To ask the Secretary of State for Health which members of Kensington, Chelsea and Westminster health authority attended meetings of the Paddington Regeneration Partnership from its inception to 13 July 2000. [156318]

Mr. Denham: The Kensington, Chelsea and Westminster health authority representative on the Paddington Regeneration Partnership from June 1998 to the present time has been Mr. Paul Mason. Mr. Mason is an assistant director and therefore not a board member of Kensington, Chelsea and Westminster health authority. He did, however, act up to the post of board level director for six months of the period in question.

Barnsley Health Authority

37. **Mr. Illsley:** To ask the Secretary of State for Health what representations he has received about the end of year 2000–01 financial status of Barnsley health authority. [156322]

Yvette Cooper: For the financial year-end 2000–01, Barnsley health authority is expected to show an operational financial balance (OFB) underspend of £500,000 against its revenue resource limit of £173,646,000. This has been agreed and accepted by the Trent regional office of the National Health Service Executive and will be carried forward to be used in the financial year 2001–02.

Within the OFB surplus, there are a number of overspending budgets (including cost per case contracts, out of area placements for learning disability and continuing care), which are offset by underspending budgets, including community prescribing.

In terms of cash control, the health authority has exactly met its revenue and capital cash limits for the year.

Abattoirs

Mr. Paice: To ask the Secretary of State for Health what assessment he has made of the impact of the ban on pithing on the future of small abattoirs. [142890]

Ms Stuart *[holding answer 18 December 2000]:* I am advised on questions of food safety by the Food Standards Agency (FSA). The ban on pithing is a requirement of a recent European Union decision on specified risk material, which introduced new EU-wide rules for the protection of both human and animal health from the risks of BSE.

The FSA carried out a full public consultation on proposals to implement the pithing ban. All licensed red meat slaughterhouses were consulted. A number of the responses received raised concerns that many small abattoirs would be unable safely to slaughter animals without pithing unless structural changes to their premises were made and maintained that many of these would be unable to afford the costs of such changes.

The FSA agrees that changes in structure or equipment, as well as in working practices, may be needed to enable abattoirs to comply with a pithing ban without putting worker safety at risk. However, the FSA considers that alternatives to pithing should be available at reasonable cost in most cases and therefore sees no fundamental reason why the need to make such changes should affect the future of small abattoirs. Nevertheless the FSA is monitoring the introduction of the pithing ban in small abattoirs in order to ensure that any significant problems are reported and investigated.

HIV

Mr. Ian Stewart: To ask the Secretary of State for Health when the Government will publish a national strategy on HIV for public consultation. [144508]

Ms Stuart: The incorporation of the HIV strategy within an integrated sexual health and HIV strategy was announced in May 2000. This work is well advanced and should be ready for publication shortly.

Beef Imports

Mr. Yeo: To ask the Secretary of State for Health if imported processed beef products are subject to the same checks for specified risk material contamination as imported carcase beef. [147856]

Ms Stuart *[holding answer 30 January 2001]:* I am advised by the Food Standards Agency (FSA) that all checks for specified risk material (SRM) contamination rely on a careful visual inspection of carcase meat to ensure that the specified tissues have been fully removed. A visual check for SRM contamination is not possible once meat has been processed. Advice on the safety of imported beef and beef products was issued by the FSA on 22 December.

Departmental Policies (Don Valley)

Caroline Flint: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to Don Valley constituency, the effects on Doncaster of his Department's policies and actions since 2 May 1997. [153520]

Yvette Cooper: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000/01" is available in the Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Doncaster health authority and Doncaster metropolitan borough council (MBC) social services.

Increases in allocations between 1996–97 and 2001–02 for Doncaster health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	62.7
£ million (real terms)	40.5
Percentage (cash)	39.51
Percentage (real terms)	23.61

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Doncaster health authority has also received additional funding for certain policies. This includes: £196,000 for accident and emergency modernisation between 1997–98 and 2000–01; A further £836,000 has been invested in an existing scheme to modernise the layout of the accident and emergency at Doncaster Royal Infirmary; £47,000, £130,000, £213,000 and £139,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £5.004 million to reduce waiting lists and times between 1997–98 and 2000–01; £1.294 million to expand critical care services in 2000–01; £250,000 to deal with winter pressures and delayed discharges in 2000–01; £131,000 for heart disease services between 1997–98 and 2000–01; and £115,400 invested in dentistry between 1997–98 and 2000–01.

Doncaster MBC's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	40.283	—	—
2001–02	52.524	15.5	30.4

In addition to the SSAs referred to, Doncaster MBC received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	2,159	—	—	—
Partnership grant[2]	—	1,528	1,300	1,768
Prevention grant[2]	—	112	168	
Carers grant[3]	—	113	281	390
Children's grant[3]	—	396	618	1,566
Mental Health Core Grant	300	337	614	'855
Training Support Grant	258	240	302	'303

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Lincoln)

Gillian Merron: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Lincoln constituency, the effects on Lincoln of his Department's policies and actions since 2 May 1997. [152978]

Yvette Cooper: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Lincolnshire health authority and Lincolnshire county council social services.

The increases in allocations between 1996–97 and 2001–02 for north Derbyshire health authority are set out in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	119.8
£ million (real terms)	75.6
Percentage (cash)	37.16
Percentage (real terms)	21.53

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Lincolnshire health authority has also received additional funding for certain policies. This includes: £233,000 for accident and emergency modernisation between 1997–98 and 2000–01; £107,000, £228,000,

£244,000 and £208,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £9.631 million to reduce waiting lists and times between 1997–98 and 2000–01; £1.662 million to expand critical care services in 2000–01; £622,000 to deal with winter pressures and delayed discharges in 2000–01; £238,000 for heart disease services between 1997–98 and 2000–01; £307,000 invested in dentistry between 1997–98 and 2000–01.

In addition, my hon. Friend's constituents will benefit from Special Assistance Funding of £4.4 million invested in 1999–2001 in order to reconfigure and restructure services in Lincolnshire. Lincolnshire residents have also benefited from a £1.446 million major hospital redevelopment scheme at Pilgrim hospital, Boston.

Lincolnshire county council's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table.

		Percentage increase	
	£ million	Real	Cash
1996–97	73.704	—	—
2001–02	95.326	14.5	29.3

In addition to the SSAs referred to, Lincolnshire county council received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	4,015	—	—	—
Partnership grant[2]	—	2,890	2,478	3,520
Prevention grant[2]	—	237	357	
Carers grant[3]	—	245	565	793
Children's grant[3]	—	566	890	2,163
Mental Health Core grant	539	910	1,051	[4]1,351
Training Support Grant	352	359	336	[4]307

[1] The special transitional grant ended in 1998–99

[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant

[3] The carers' and children's grants were introduced in 1999–2000

[4] Indicative allocation

Departmental Policies (Stourbridge and Dudley)

Ms Shipley: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to *(a)* Stourbridge and *(b)* Dudley metropolitan borough the effects on the area of his Department's policies and actions since 2 May 1997. [154729]

Yvette Cooper *[holding answer 20 March 2001]:* Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000/01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies are not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Dudley health authority and Dudley social services authority.

Increases in allocations between 1996–97 and 2001–02 for Dudley health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	57.6
£ million (real terms)	36.8
Percentage (cash)	38.52
Percentage (real terms)	22.73

Note:

Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Dudley health authority has also received additional funding for certain policies. This includes: £0.6 million for accident and emergency modernisation at Russells Hall Hospital, Dudley; £28,000, £57,000, £177,000 and £105,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £3.86 million on action to reduce waiting lists and times; £0.32 million to expand critical care services in 2000–01; £2.6 million winter pressures in 2000–01; and £0.064 million for heart disease services 2000–01.

In addition, my hon. Friend's constituents will benefit from the new £68 million major hospital development that is being developed at Dudley Group of Hospitals NHS Trust.

Dudley's personal social services standard spending assessment for 2001–02 compared with 1996–97

		Percentage increase	
	£ million	Real	Cash
1996–97	37,476	—	—
2001–02	53,637	26.8	43.1

In addition to the SSAs referred to, Dudley local authority received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	2,239	—	—	—
Partnership grant[2]	—	1,608	1,364	1,864
Prevention grant[2]	—	121	179	
Carers grant[3]	—	123	291	403
Children's grant[3]	—	324	507	1,295
Mental Health Core grant	282	476	550	733
Training Support Grant	233	280	309	[4]291

[1] The special transitional grant ended in 1998–99

[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant

[3] The children's and carers' grants were introduced in 1999–2000

[4] Indicative allocation

Departmental Policies (Great Grimsby)

Mr. Mitchell: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the constituency, the effect on the Great Grimsby constituency of his Department's policies and actions since 2 May 1997. [156245]

Yvette Cooper: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

My hon. Friend's constituency falls within the geographical area covered by South Humber health authority and Lincolnshire county council social services.

Increases in allocations between 1996–97 and 2001–02 for South Humberside health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	56.6
£ million (real terms)	34.1
Percentage (cash)	34.01
Percentage (real terms)	18.74

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

South Humber health authority has also received additional funding for certain policies. This includes: £978,000 for accident and emergency modernisation between 1997–98 and 2001–02; £61,000, £107,000, £175,000 and £131,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £4.306 million to reduce waiting lists and times between 1997–98 and 2000–01; £1.066 million to expand critical care services in 2000–01; £905,000 to deal with winter pressures and delayed discharges in 2000–01; £88,000 for heart disease services in 2000–01; £109,000 invested in dentistry between 1997–98 and 2000–01.

		Percentage increase	
	£ million	*Real*	*Cash*
1996–97	73.704	—	—
2001–02	95.326	14.5	29.3

In addition to the SSAs referred to, Lincolnshire county council received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Special Transitional Grant[1]	4,015	—	—	—
Partnership grant[2]	—	2,890	2,478	3,520
Prevention grant[2]	—	237	357	
Carers grant[3]	—	245	565	793
Children's grant[3]	—	566	890	2,163
Mental Health Core grant	539	910	1,051	[4]1,351
Training Support Grant	352	359	336	[4]307

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

Departmental Policies (Amber Valley)

Judy Mallaber: To ask the Secretary of State for Health if he will set out, with statistical information relating as directly as possible to the Amber Valley constituency, the effects on Amber Valley of his Department's policies and actions since 2 May 1997. [157131]

Yvette Cooper: Detailed information on the impact of Department of Health policies nationally is set out in the Department of Health Annual Reports. A copy of the most recent report "Department of Health—Government Expenditure Plans 2000–01" is available in the House of Commons Library and on the Department of Health website at www.doh.gov.uk/dhreport.

The impact of policies is not examined by constituency and statistics collected centrally by the Department are not collected on a constituency basis.

My hon. Friend's constituency falls within the geographical area covered by Southern Derbyshire health authority and Derbyshire county council social services.

Increases in allocations between 1996–97 and 2001–02 for Southern Derbyshire health authority are shown in the table.

Increases in allocations between 1996–97 and 2001–02

	Increase
£ million (cash)	105.4
£ million (real terms)	66.9
Percentage (cash)	37.88
Percentage (real terms)	22.16

Note:
Increases for 1999–2000 onwards are for unified allocations which cover hospital and community health services, prescribing and discretionary family health services. Those for previous years cover hospital and community health services only.

Southern Derbyshire health authority has also received additional funding for certain policies. This includes: £56,000, £150,000, £304,000 and £204,000 for improving cancer services (breast, colorectal, lung and cancer outpatients) in 1997–98, 1998–99, 1999–2000 and 2000–01 respectively; £7.898 million to reduce waiting lists and times between 1997–98 and 2000–01; £541,000 to expand critical care services in 2000–01; £265,000 to deal with winter pressures and delayed discharges in 2000–01; £192,000 for heart disease services between 1997–98 and 2000–01; £136,400 invested in dentistry between 1997–98 and 2000–01.

In addition, my hon. Friend's constituents will benefit from a major hospital development scheme costing £177 million which will see acute hospital services centralised on the Derby City General Hospital site and the development of the Derbyshire Royal Infirmary as a community hospital. The development is being funded through the Private Finance Initiative.

Southern Derbyshire also received £1.2 million of Special Assistance Funding for reconfiguration and restructuring of services in 1999–2000.

Derbyshire county council's personal social services standard spending assessment (SSA) for 2001–02 compared with 1996–97 is set out in the table:

	£ million	Percentage increase	
		Real	Cash
1996–97	118.872	—	—
2001–02	118.717	−11.6	−0.1

Note:
The SSA has decreased because of boundary changes resulting from local government re-organisation

In addition to the SSAs referred to, Derbyshire county council received additional funding in the form of a number of special and specific grants as set out in the table.

£000

	1998–99	1999–2000	2000–01	2001–02
Special Transitional Grant[1]	5,063	—	—	—
Partnership Grant[2]	—	3,590	3,135	4,350
Prevention Grant[2]	—	268	404	
Carers Grant[3]	—	272	628	884
Children's Grant[3]	—	604	957	2,476
Mental Health Core Grant	662	1,117	1,397	[4]1,735
Training Support Grant	450	514	658	[4]534

[1] The special transitional grant ended in 1998–99
[2] The partnership and prevention grants have been combined in 2001–02 and called the promoting independence grant
[3] The carers' and children's grants were introduced in 1999–2000
[4] Indicative allocation

GP Budgets

Mr. Paul Marsden: To ask the Secretary of State for Health what the average GP budget was in *(a)* May 1997 and *(b)* in the most recent financial year for which figures are available in Shrewsbury and Atcham; and if he will make a statement. [156498]

Yvette Cooper: Information is not collected centrally in regard to individual general practitioner's budgets.

Indeed, as independent contractors, GPs do not receive budgets as such. Also, because of variations such as list size, age of patients and environmental and health factors, as well as changes to the way in which moneys are allocated, it would be difficult to produce meaningful statistics for comparative purposes.

"Feet First" Report

Mr. Stunell: To ask the Secretary of State for Health when he will publish the review of the "Feet First" report; and if he will make a statement. [155579]

Mr. Hutton: "Meeting the Challenge: A Strategy for the Allied Health professions", published on 15 November 2000, raises the profile of chiropody and podiatry services alongside other health professions, and we have no current plans to publish the specific review of the "Feet First" report. Its impact has been to ensure that the significance of chiropody services informs policy development. For example, there is professional chiropody/podiatry involvement in the Expert Reference Group, and sub groups of the Diabetes National Standards Framework and the Department is also working with the Society on the new Allied Health Professions consultant role and the workforce review. The review of evidence based literature in Feet First Review has been made available to the Society of Chiropodists and Podiatrists for dissemination. There will be a ministerial meeting with the Society on 30 April.

Royal Shrewsbury Hospital

Mr. Paul Marsden: To ask the Secretary of State for Health when it was originally planned that the cobalt radiotherapy unit would be phased out at the Royal Shrewsbury Hospital; when he expects the new linear accelerator unit to be treating patients at the hospital; and if he will make a statement. [156495]

Yvette Cooper: In August 2000 the Royal Shrewsbury Hospital National Health Service Trust's business case for the provision of a second linear accelerator service to replace the existing cobalt unit was approved.

The new linear accelerator is expected to begin treating patients in spring 2002, forming part of the trust's plan to improve cancer services.

Mr. Paul Marsden: To ask the Secretary of State for Health how many patients *(a)* in May 1997 and *(b)* on the most recent date for which information is available were treated at the Royal Shrewsbury hospital in mixed sex wards; and if he will make a statement. [156500]

Yvette Cooper: Information on the number of patients treated in mixed sex wards is not collected centrally.

We have set three specific objectives to eliminate mixed sex accommodation:

ensuring that appropriate organisational arrangements are in place to secure good standards of privacy and dignity for hospital patients;

achieving fully the patient's charter standard for segregated washing and toilet facilities across the National Health Service; and

providing safe facilities for patients in hospital who are mentally ill which safeguard their privacy and dignity.

The audit of single sex accommodation (30 September 2000) showed that the Royal Shrewsbury Hospital NHS Trust had achieved these three objectives.

Meningitis C

Mr. Paul Marsden: To ask the Secretary of State for Health if he will estimate the number of people who have received vaccination against group C meningitis in Shrewsbury and Atcham in the last three years; and if he will make a statement. [156499]

Yvette Cooper: The new meningitis C vaccine became available in autumn 1999 and was introduced into the routine childhood immunisation programme given at age two, three and four months in November 1999. A 'catch-up' campaign to offer vaccine to all those under the age of 18 years not covered by the routine programme was also undertaken from that date.

Information on the number of children immunised during the catch-up campaign will be available shortly and will be published in the Communicable Disease Surveillance Centre's "Communicable Disease Report". The most recent coverage figures by regional health authority for the routine meningitis C programme were

published in the "Communicable Disease Report" (Vol.11, No. 12, 22 March 2001). In Shropshire health authority area—which includes Shrewsbury and Atcham—an estimated 1,780 children had received the vaccine through the routine programme due at two, three and four months by December 2000.

Free Dental Treatment

Mr. Blizzard: To ask the Secretary of State for Health if he will introduce free dental treatment for all people over 75 years of age. [157157]

Mr. Hutton: We have no plans to introduce free dental treatment for all people over 75 years of age; we believe that it is a better use of limited resources to base help with charges for NHS dentistry on the individual's ability to pay, so ensuring help is focused on those who need it most. Pensioners who get Income Support pay nothing for their dental treatment and under the National Health Service low income scheme some are entitled to free treatment, while others, who are not entitled to full remission of charges, can get partial help.

Continence Pads

Mr. Oaten: To ask the Secretary of State for Health what guidelines exist to prevent the repackaging of continence pads that have been opened after sterilisation. [R] [156658]

Mr. Hutton *[holding answer 2 April 2001]:* Continence pads are not required to be supplied sterile. Providing basic hygiene procedures are followed; for example, hand washing; patients' health should not be compromised from splitting bulk packs of continence pads.

"Good Practice in Continence Services" introduced by PL/CMO/2000/2, was issued in April 2000.

Bed Numbers (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many beds were available in the National Health Service in each year since 1997 in *(a)* Northumberland health authority and *(b)* Cheviot and Wansbeck Hospital. [157293]

Mr. Hutton: Information on bed numbers is collected annually from National Health Service trusts and not by individual hospital or health authority. The table shows the average daily number of available beds in NHS trusts within Northumberland health authority.

Average daily number of available beds in wards open overnight, NHS trusts within Northumberland health authority, 1997–98 to 1999–2000

	1997–98	*1998–99*	*1999–2000*
Northumberland Mental Health NHS Trust	230	211	199
Northgate and Prudhoe NHS Trust	652	534	476
Northumbria Healthcare NHS Trust	—	1,392	1,379
North Tyneside Healthcare NHS Trust	523	—	—
Cheviot and Wansbeck NHS Trust	659	—	—
Northumberland Community Health NHS Trust	19	—	—
Northumberland health authority area	2,083	2,137	2,054

Source:
DH form KHO3

Mr. Ronnie Campbell: To ask the Secretary of State for Health what has been the change in the number of beds in Northumberland district health authority in each year since 1997. [157295]

Mr. Hutton: The table shows the average daily number of available beds and the change in the number of beds in National Health Service trusts within Northumberland health authority area.

Average daily number of available beds in wards open overnight, NHS trusts within Northumberland health authority

	1997–98	*1998–99*	*1999–2000*
Northumberland Mental Health NHS Trust	230	211	199
Northgate and Prudhoe NHS Trust	652	534	476
Northumbria Healthcare NHS Trust	—	1,392	1,379
North Tyneside Healthcare NHS Trust	523	—	—
Cheviot and Wansbeck NHS Trust	659	—	—
Northumberland Community Health NHS Trust	19	—	—
Northumberland health authority area	2,083	2,137	2,054
Change in number of beds from previous year		+54	−83

Source:
DH form KHO3

Premature Babies

Mrs. Fitzsimons: To ask the Secretary of State for Health what measures are in place to prevent premature babies contracting respiratory infections which are common amongst such babies. [157231]

Yvette Cooper: Research indicates that pre-term babies are more susceptible to severe respiratory illness than healthy full term babies. The illness is often caused by respiratory syncytial virus (RSV), for which there is at present no active vaccine. However there is increasing use of an immune globulin, which can be given by

injectioneach month, to try to prevent this illness in very vulnerable babies.

Travel Grants (Australia)

Mr. Grogan: To ask the Secretary of State for Health (1) how many travel grants have been made to fund visits to Britain by former child migrants to Australia; [157236]

(2) what the total cost is of travel grants made from the Special Travel Fund set up to finance a single visit to see family members in Britain by former child migrants to Australia. [157235]

Mr. Hutton: As at 31 March 2001, 126 former child migrants have travelled from Australia with assistance from the Government funded Child Migrant Support Fund. The total cost of their travel/subsistence was £214,000.

Fourth Transplant Unit

Mr. Brady: To ask the Secretary of State for Health if he will list those *(a)* hon. Members and *(b)* others who have made representations to his Department seeking a delay in the announcement of the fourth transplant unit to remain in operation after 1 April 2002. [156683]

Mr. Denham: My right hon. Friend the Secretary of State has received no representations from anyone seeking to delay the announcement of the site of the fourth national cardiothoracic transplant centre.

Tuberculosis

Dr. Fox: To ask the Secretary of State for Health how many cases of TB were reported in the UK in *(a)* 1999 and *(b)* 2000. [157871]

Yvette Cooper: The number of reported cases for all types of tuberculosis in the United Kingdom for 1999 was 6,701 and 7,264 (provisional) for 2000.

This information is publicly available. Information for England and Wales is published on the PHLS website (www.phls.org.uk), Scotland publish their data in the Scottish Health Statistics booklet and Northern Ireland publish their data via their Communicable Disease Surveillance Centre.

Dr. Fox: To ask the Secretary of State for Health how many cases of drug resistant TB were reported in the UK in *(a)* 1999 and *(b)* 2000. [157870]

Yvette Cooper: The 1998 Public Health Laboratory Service tuberculosis survey found that there has been no increase in the proportion of strains of TB resistant to one or more of the standard anti-TB drugs since 1994. The United Kingdom has heightened its surveillance of drug and multi-drug resistant TB through a scheme co-ordinated by the PHLS, through the UK Mycobacterial Resistance Network or MYCOBNET.

Information taken from MYCOBNET shows that 33 cases of drug resistant tuberculosis (ie resistant to standard antibiotic drugs) were reported in the UK in 1999 and 36 (provisional figure) in 2000. These figures show a slight decrease in the number from previous years, which have averaged at 49 cases per year since 1994.

Bed Blocking and Surgery Cancellations

Mr. Gale: To ask the Secretary of State for Health what assessment he has made of the impact of closures within the private nursing home and residential care sector on bed blocking and cancellation of elective surgery in National Health Service hospitals. [156311]

Mr. Hutton: We are providing new intermediate care services, which will enable patients to move on from hospital with minimal delay and we provided last year, an extra 523 adult critical care beds to expand post operative capacity. The Department is working to develop a new concordat with the care home sector to maintain capacity and stability in the sector. These initiatives mean that delays in hospital discharge are beginning to reduce.

Correspondence

Mr. Barnes: To ask the Secretary of State for Health (1) when he will reply to the letter sent to him on 18 December by the hon. Member for North-East Derbyshire, reference Part 3 5120/99; [149116]

(2) when the hon. Member for North-East Derbyshire will receive replies to his letters concerning a constituent, dated 13 November 2000, 18 December 2000, 13 February, 20 February and 21 February. [155604]

Yvette Cooper: I apologise for the delay in replying to my hon. Friend's correspondence and subsequent parliamentary questions. The reasons are that a number of sensitive issues have been raised which require thorough investigation to ensure a full explanation can be given. I have met my hon. Friend to discuss these issues further.

Parliamentary Questions

Mr. Wilkinson: To ask the Secretary of State for Health when he will give a substantive answer to the question tabled on 28 March by the hon. Member for Ruislip-Northwood on isolation wards for tuberculosis in NHS hospitals. [157958]

Yvette Cooper: I replied to the hon. Member's question, tabled for answer on 2 April, on 6 April.

SOCIAL SECURITY

Single Room Rent

Ms Buck: To ask the Secretary of State for Social Security, (1) pursuant to his answer on 23 March 2001, *Official Report*, column 370W, what consideration was given to providing additional exemptions from the proposed new Younger Person's Rent regulations for *(a)* young pregnant women, *(b)* young people in receipt of the disability working allowance and incapacity benefit, *(c)* young people considered vulnerable under Part VII of the Housing Act 1996, *(d)* care leavers under the age of 25 years and *(e)* young people rehoused through resettlement programmes operated by the Rough Sleepers Unit and others; [156723]

(2) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what consideration was given to including accommodation in which a small kitchen is provided within the definition of the proposed new Younger Person's Rent. [156724]

Angela Eagle: The existing exemptions from the single room rent will remain in force when the broader definition of the single room rent is implemented from July this year. We have no current plans to increase the number of exemptions. However, local authorities will have the discretion to provide additional support in individual cases where there is a shortfall in rent under the new arrangements for discretionary housing payments, which will also be implemented from July. The broader definition of the single room rent retains the use of a kitchen, but only where it is shared.

Ms Buck: To ask the Secretary of State for Social Security (1) how many *(a)* young people have ceased to claim housing benefit for private sector accommodation since the introduction of the single room rent and *(b)* more young people are likely to claim housing benefit for private sector accommodation under the proposed new Younger Person's Rent regulations; [156708]

(2), pursuant to his answer of 23 March 2001, *Official Report*, column 370W, how much has been saved in housing benefit payments since the introduction of the single room rent; and what costings his Department have undertaken in relation to the proposed new Younger Person's Rent regulations. [156720]

Angela Eagle: It is not possible to quantify accurately the numbers of people who move on or off Housing Benefit solely because of changes to the benefit rules. There are many other factors including employment conditions which will influence whether a person claims benefit.

However, our approximate estimate is that about 25,000 fewer people are receiving Housing Benefit than if the single room rent had not been introduced. This represents an estimated reduction in Housing Benefit expenditure of £65 million a year.

Around 5,000 young people are expected to flow back on to Housing Benefit each year following the introduction of the broader definition of the single room rent in July this year. The estimated additional cost in 2001–02 is £20 million.

Ms Buck: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what assessment has been made of *(a)* the likely impact of the proposed younger person's rent regulations in areas where there is a shortage of shared accommodation available to young people, *(b)* the number of additional units of accommodation that may become available in England as a result of the proposed younger person's rent regulations and *(c)* the likely impact of the proposed new younger person's rent regulations on shortfalls faced by young people between rent due and Housing Benefit paid. [156721]

Angela Eagle: Our objectives for the single room rent are to ensure that young people have access to accommodation so that they can concentrate on finding work, balanced against our aim of making sure that the benefit system does not provide out of work young adults with better housing than their working peers could afford.

We made these objectives clear in our Housing Green Paper, "Quality and Choice: A decent home for all" on which we consulted widely in order to assess the potential impact of our proposals. We received representations from a number of different organisations concerning the operation of the single room rent rules and these were taken into consideration. The new rules from July this year are designed to better reflect what the market generally has to offer on a national basis.

Local authorities will have the discretion to provide additional support in individual cases where there is a shortfall in rent under the new arrangements for discretionary housing payments, which will also be implemented from July.

Ms Buck: To ask the Secretary of State for Social Security (1) what assessment he has made of *(a)* changes in the behaviour of young people following the introduction of the single room rent; and *(b)* the likely impact of the proposed new younger person's rent on the behaviour of young people; and what plans he has to monitor the behaviour of young people under the proposed new younger person's rent. [156709]

(2) pursuant to his answer on 23 March 2001, *Official Report*, column 370W, on single room rent, what plans his Department has to commission research into the impact of the proposed new Younger Person's Rent regulations. [156707]

Angela Eagle: In 1997, together with the Department of the Environment Transport and Regions (DETR) we commissioned the London Research Centre to explore the role of Housing Benefit in the private rented sector. The report entitled "Housing Benefit and the Private Rented Sector" was published by DETR in 1999.

The report concluded that the single room rent restriction was causing difficulties for some young people under 25 in accessing and retaining accommodation. Our broadening of the definition of the single room rent from July this year will better reflect what the market has to offer. This is designed to ease the problem faced by young people in obtaining accommodation, so that they can concentrate their efforts on finding work.

We are currently considering the possibility of research examining the impact of broadening the single room rent and will reach a decision in due course.

Ms Buck: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March 2001, *Official Report*, column 370W, on single room rent, how many exceptional hardship payments have been awarded to young people subject to the single room rent in each of the last three years. [156710]

Angela Eagle: The information requested is not available.

Ms Buck: To ask the Secretary of State for Social Security, pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what assessment has been made of *(a)* the number of young people who will be unable to find accommodation matching the definition in the proposed new Younger Person's Rent regulations, and *(b)* the number of young people who will be forced to move away from their local authority area to find accommodation matching the definition in the proposed new Younger Person's Rent regulations. [156722]

Angela Eagle: The information required to make such assessments is not available. The Rent Service has confirmed that, in general, the market is active in

providing shared accommodation to young people within the broader definition of the single room rent we are introducing from July this year. We do not hold information about an individual's accommodation unless they make a claim to benefit. This information would not identify whether an individual had previously been seeking accommodation in their own or other localities.

Ms Buck: To ask the Secretary of State for Social Security, (1) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what consideration was given to consulting more widely than the local authority associations on the proposed new Younger Person's Rent regulations; [156715]

(2) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what advice his Department sought from the Rent Service in relation to the proposed new Younger Person's Rent regulations; and if he will place this advice in the Library; [156719]

(3) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, if correspondence from his Department to the Social Security Advisory Committee concerned possible consultations on the proposed new Younger Person's Rent regulations; and if he will place a copy of that correspondence in the Library; [156717]

(4) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what representations the Social Security Advisory Committee have received on the proposed new Younger Person's Rent regulations; [156716]

(5) what recent representations his Department has received in relation to review of the definition of the single room rent; [156706]

(6) pursuant to his answer of 23 March 2001, *Official Report*, column 370W, what consultations have taken place between his Department and Department of the Environment, Transport and the Regions in relation to the proposed new Younger Person's Rent regulations. [156718]

Angela Eagle: In order to implement these changes as early and simply as possible, we have decided to retain the term "Single Room Rent". This will avoid, among other things, costly changes to computer software for local authorities and rent officers. Our objectives for the single room rent are to ensure that young people have access to accommodation so that they can concentrate on finding work, balanced against our aim of making sure that the benefit system does not provide out of work young adults with better housing than their working peers could afford. We made these objectives clear, including the option of broadening the definition of the single room rent, in our Housing Green Paper "Quality and Choice: A decent home for all" on which we consulted widely. Our response to the consultation said that we will proceed with broadening the definition so as to enable young people to access and maintain accommodation and to encourage landlords to rent to young people.

In addition to consulting the Local Authority Associations the draft legislation was seen by the Social Security Advisory Committee. I will arrange for a copy of the relevant correspondence to the Committee to be placed in the Library. The Committee did not request the formal referral of the regulations.

The Committee may report on proposals for regulations to my right hon. Friend the Secretary of State following public consultation exercises, but it is otherwise not under any duty to routinely inform my right hon. Friend of representations it may receive from time to time. In response to inquiries, officials have been informed that the Committee received one representation, from Shelter.

In developing the proposal to broaden the definition of the single room rent we did not seek comprehensive written advice, but we had detailed discussions with officials from the Department of the Environment, Transport and the Regions, the Scottish Executive and the National Assembly for Wales, as well as the Rent Service and rent officers from Scotland and Wales. The new definition takes account of these discussions and is based on a sample analysis of rental data which shows that most young people tend to share accommodation. Comments on the draft legislation were sought from these interested parties. We have received further recent representations on our proposal from Barnardos, the Association of Housing Advisory services and the National Private Landlord and Tenant Working Group.

Winter Fuel Payments

Mr. Webb: To ask the Secretary of State for Social Security what delays there have been in the payment of the 2000–01 Winter Fuel Payment. [157057]

Mr. Rooker: Over 11 million Winter Fuel Payments have been made so far. For both automatically processed cases and claims, payments were made before Christmas where entitlements were established by 9 November 2000.

We continue to process claims received after 9 November 2000. The timing of payments made depends on when people choose to send in their claims and whether they are completed correctly.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the monetary value of unclaimed Winter Fuel Payments by men aged 60–64 for the *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 winters. [157054]

Mr. Rooker: It is not possible to provide a reliable estimate of the monetary value of unclaimed Winter Fuel Payments by men aged 60–64 in respect of winters 1997–98; 1998–99 and 1999–2000.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the monetary value of unclaimed 2000–01 Winter Fuel Payments by newly eligible men by 30 March. [157056]

Mr. Rooker: It is not possible to provide a reliable estimate of the monetary value of unclaimed Winter Fuel Payments by newly eligible men in respect of winter 2000–01.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of men aged 60–64 who made an *(a)* successful and *(b)* unsuccessful claim for the (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000 Winter Fuel Payment. [157053]

Mr. Rooker: The administration of benefits is a matter for the Chief Executive of the Benefits Agency, Alexis Cleveland. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Steve Webb, dated 9 April 2001:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will estimate the number of men aged 60–64 that made an (a) successful and (b) unsuccessful claim for the 1997/98, 1998/99, 1999/00 winter fuel payment.

As of 3 April 2001, 1,046,020 claims for Winter Fuel Payments in respect of retrospective year's 1997–98, 1998–99 and 1999–2000 had been processed for males. Information relating solely to men aged 60–64 cannot be provided.

The decisions made following the ruling by the European Court of Justice meant that the majority of people newly eligible would be men aged 60–64. However, people over state pension age but who had not received a Winter Fuel Payment before because they were not getting a qualifying benefit were also brought into the scheme.

Current records show that we have received over 1 million claims in respect of past winters from men of which around 85,000 were unsuccessful, in the first instance. If a customer feels that the decision on their claim is incorrect they can ask for it to be looked at again. We do not hold statistics on successful claims following such reconsiderations.

I hope this is helpful.

Mr. Simon Thomas: To ask the Secretary of State for Social Security what the average length of time is from the receipt of application for back-dated winter fuel allowance to be paid. [156343]

Mr. Rooker: This is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Simon Thomas, dated 10 April 2001:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what the average length of time is from the receipt of application for backdated winter fuel allowance to be paid.

The average length of time taken to process a backdated claim from date of receipt to date of payment is not available. However, I can inform you that over 90% of claims for the financial years 1997/98, 1998/99 and 1999/00 have been processed without the need for further investigation. In these circumstances claims are paid within five weeks of receiving the application form.

The remaining claims require further investigation and inevitably take longer to clear. Where only minimal investigation is required, claims may still be paid in five weeks.

I hope this is helpful.

Pensions

Mr. Davidson: To ask the Secretary of State for Social Security what progress is being made in reforming the regulations in the social security system governing capital limits for pensioners. [156573]

Mr. Rooker: This month, the lower capital limit in the income related benefits, such as Housing Benefit and Council Tax Benefit, for those over 60 increases from £3,000 to £6,000. In addition, the upper limit of £8,000 in the Minimum Income Guarantee (MIG) and Jobseeker's Allowance for those over 60 rises to £12,000. These changes to capital limits will better reward savers with low incomes and will benefit around half a million pensioners by £5 a week, on average.

Under the proposals for the Pension Credit, the capital rules will be abolished and instead income from capital will be considered.

Benefit Regulation Circulars

Mr. Willetts: To ask the Secretary of State for Social Security how many Housing Benefit and Council Tax Benefit regulations and operations and adjudications circulars have been issued in each year since 1992. [152441]

Angela Eagle: The information is in the table.

The numbers of Housing Benefit and Council Tax Benefit regulations and operations and adjudications circulars identified as being issued since 1992

	Regulations	*Circulars*
1992	12	35
1993	12	46
1994	10	34
1995	13	58
1996	16	57
1997	19	83
1998	15	89
1999	15	81
2000	23	73
2001	7	22

Notes:
1. The Statutory Instruments counted are those which contain one or more regulations on the subject of Housing Benefit, Council Tax Benefit and/or Community Charge Benefit.
2. Statutory Instruments including only orders and schemes are not included in the list.

Departmental Employees (Scotland)

Mr. Swinney: To ask the Secretary of State for Social Security how many people were employed in each pay grade and what the average salary per grade was for *(a)* full-time and *(b)* part-time employees working for his Department in (i) Scotland and (ii) the UK in the (A) 1998–99, (B) 1999–2000 and (C) 2000–01 financial years. [155086]

Mr. Rooker *[holding answer 23 March 2001]:* The information has been placed in the Library. Staff employed by the Department in Scotland provide services for claimants in all parts of the UK—for example, Glasgow Benefit Centre provides a service for customers in specified parts of London. Similarly, claimants in Scotland are supported by services provided by staff located outside Scotland—for example, the Child Benefit Directorate in the North-East of England serves the whole of the UK.

Regulations

Mr. Willetts: To ask the Secretary of State for Social Security if he will list each change to Social Security regulations since May 1997. [151451]

Mr. Rooker: The information has been placed in the Library.

There were 241 Regulations changed in the period May 1992 to April 1997.

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to the oral statement of 2 April 2001,

Official Report, column 11, by the right hon. Member for Birmingham, Perry Barr (Mr. Rooker), on the take up of the Minimum Income Guarantee, for what reason he described the figure extrapolated by his Department from its survey of take-up as a hocus-pocus figure. [157148]

Mr. Rooker *[holding answer 6 April 2001]:* In my answer to the hon. Member for Havant (Mr. Willetts) I described the figure as legitimate. However, as the survey states,

"care should be taken in interpreting the take-up statistics".

The figure is only a projection of potential pensioners not taking-up their entitlement to the Minimum Income Guarantee (MIG). We have taken note of the survey, and gone one step further—we have contacted over 2 million real, identifiable, pensioners in writing as part of this Government's national MIG take-up campaign and so far 930,000 have responded. We have identified from the responses two main reasons for unsuccessful claims—too much income and/or too much capital. More pensioners will become entitled to MIG with this April's increases in the capital limits and with the introduction of Pension Credit we will abolish the capital limits and for the first time reward those with savings income.

Means-tested Benefits

Mrs. Lait: To ask the Secretary of State for Social Security, pursuant to his answer of 2 April 2001, *Official Report*, column 17, on means-tested benefits, to what the figure of 9 per cent. refers; what proportion of middle income pensioners are on means-tested benefits; and what will be the proportion from 2003. [157543]

Mr. Rooker: The 9 per cent. figure represents overall current spending on income-related benefits as a proportion of total benefit expenditure, for people aged 60 and over, the same as it was in 1997. In 1998–99 30 per cent. of pensioner benefit units in the middle four income deciles were in receipt of Income Related Benefits after Housing Costs have been taken into account, for the middle two income deciles the figure was 28 per cent. By way of comparison the figures for 1996–97 were 32 per cent. and 30 per cent. respectively. The corresponding information for 2003 is not available.

Disability Living Allowance

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to his answer of 20 March 2001, *Official Report*, column 204W, how many applications for Disability Living Allowance were received in each quarter of the last three years; how many of these were *(a)* successful, *(b)* unsuccessful, *(c)* subject to review, *(d)* successful at review, *(e)* unsuccessful at review, *(f)* subject to reconsideration, *(g)* successful at reconsideration, *(h)* unsuccessful at reconsideration, *(i)* subject to supersession, *(j)* successful at supersession, *(k)* unsuccessful at supersession, *(l)* subject to appeal, *(m)* successful at appeal and *(n)* unsuccessful at appeal; what the average number of days taken was to process applications; and how many decisions had not been reached at the end of each quarter for (i) first claim, (ii) renewal, (iii) review, (iv) reconsideration, (v) supersession and (iv) appeal stages. [157424]

Mr. Bayley: Available information is in the tables.

Initial claims for Disability Living Allowance in each quarter from March 1998 and whether successful

Quarter ending	Claims received	Initial decisions	
		Successful	Unsuccessful
March 1998	97,387	47,792	57,148
June 1998	96,125	42,954	51,796
September 1998	103,061	43,899	51,754
December 1998	96,022	44,157	52,083
March 1999	103,069	44,587	52,564
June 1999	98,997	45,757	53,746
September 1999	97,542	46,974	52,716
December 1999	91,311	39,053	38,248
March 2000	104,749	49,257	45,680
June 2000	104,079	51,718	50,554
September 2000	100,670	57,283	57,814
December 2000	96,333	48,358	46,708

Source:
DSS Information Centre: 100 per cent. data

Initial claims for Disability Living Allowance which were successful on review, reconsideration[1] or appeal in each quarter from February 1998

Quarter ending	In time review	Reconsideration	Appeal
February 1998	8,500	—	3,300
May 1998	6,900	—	3,400
August 1998	6,700	—	4,200
November 1998	6,600	—	3,900
February 1999	6,700	—	3,800
May 1999	5,900	—	4,100
August 1999	6,800	—	4,600
November 1999	6,000	400	3,700
February 2000	2,800	2,600	3,500
May 2000	900	3,800	4,100
Aug 2000	—	4,300	4,400

[1] Reconsiderations replaced in-time reviews under the new system of decision making and appeals which was introduced in October 1999
Source:
DSS Information Centre: 5 per cent. data

Average number of days to process initial claims, reviews, reconsiderations[1], supersessions[1] and appeals in each quarter from March 1998

Year to date[2]	Initial claims	Reviews[1]	Reconsiderations	Supersessions	Appeals
March 1998	37.2	52.3	—	—	33.2
June 1998	31.5	47.0	—	—	32.2
September 1998	32.4	49.0	—	—	34.6
December 1998	33.9	49.5	—	—	35.1
March 1999	35.0	49.7	—	—	36.1
June 1999	37.5	54.8	—	—	40.7
September 1999	38.7	57.3	—	—	46.4
December 1999	40.0	—	34.4	42.0	47.0
March 2000	42.6	—	55.4	67.5	52.7

Average number of days to process initial claims, reviews, reconsiderations[1], supersessions[1] and appeals in each quarter from March 1998

Year to date[2]	*Initial claims*	*Reviews*[3]	*Reconsiderations*	*Supersessions*	*Appeals*
June 2000	50.9	—	59.8	70.3	67.2
September 2000	49.1	—	52.3	64.6	63.5
December 2000	47.8	—	49.3	61.4	59.4

[1] Reconsiderations and supersessions replaced reviews under the new system of decision making and appeals which was introduced in October 1999
[2] Figures relate to the period starting on April 1
[3] Includes both 'in time' and 'out of time' reviews
Source:
BA Disability and Carer Benefits Directorate

Decisions not reached at end of quarter

Quarter ending	*Initial claims*	*Renewals*	*Reviews*[1]	*Reconsiderations*	*Supersessions*	*Appeals*
March 1998	35,907	21,838	49,406	—	—	4,503
June 1998	36,696	26,683	52,502	—	—	4,812
September 1998	43,501	26,507	53,873	—	—	4,835
December 1998	42,813	23,268	50,417	—	—	3,064
March 1999	47,950	25,579	55,520	—	—	4,342
June 1999	46,842	29,098	62,765	—	—	6,012
September 1999	44,211	27,145	61,407	—	—	6,502
December 1999	57,457	39,491	—	28,352	24,058	11,964
March 2000	67,257	46,338	—	23,495	43,190	19,869
June 2000	68,309	37,178	—	17,733	35,977	23,634
September 2000	53,084	24,737	—	14,736	25,531	20,413
December 2000	53,643	23,419	—	11,047	23,393	11,086

[1] Includes both 'in time' and 'out of time' reviews
Source:
Disability and Carer Benefits Directorate

The number of people who receive Disability Living Allowance continues to increase. Significant backlogs of work accrued in the processing of these benefits last year, because of the growing caseload and introduction of a new system of decision making and appeals. The Benefits Agency tackled the backlog as a priority and it has now been substantially cleared. The continuing high level of appeals outstanding reflects the increase in the numbers received following the introduction of the new procedures.

Mr. Willetts: To ask the Secretary of State for Social Security how many complaints have been received about the Benefits Agency regarding claims to Disability Living Allowance for each month since May 1997. [155416]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Alexis Cleveland, Chief Executive of the Benefits Agency. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. David Willetts, dated 10 April 2001:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many complaints have been received about the Benefits Agency regarding claims to Disability Living Allowance for each month since May 1997.

Information is not available for the period prior to April 1998. From April 1998, the number of complaints made in respect of Disability Living Allowance by letter, telephone or in person is in the table.

	1998	*1999*	*2000*
April	176	505	1,141
May	158	679	1,262
June	258	909	1,569
July	264	972	1,370
August	508	801	1,169
September	455	1,004	912
October	461	807	950
November	563	886	773
December	270	962	530
January	337	886	791
February	419	961	614
March	407	1,284	'—

[1] Figures for March 2001 are not yet available

It should be noted that while the statistics show the number of all types of complaints about the standard of service received, they also include cases in which dissatisfaction has been expressed with the outcome of benefit decisions which must be pursued through the decision making and appeals process.

There was a steady increase in the figures throughout the period up to June 2000. This can be attributed to an increase in work on hand before and after the introduction of new decision making and appeals procedures. It is well-documented that changes to Disability Living Allowance procedures introduced in October 1999 led initially to a significant increase in the time taken to process each case. This created a temporary backlog of work, which resulted in an increase in the number of complaints. The backlog was tackled as a priority and has now been cleared with the result that the level of complaints have steadily decreased each month since July 2000.

I hope this information is helpful.

Mr. Simon Hughes: To ask the Secretary of State for Social Security if he will give a breakdown in number and relevant percentage of the DLA decisions on *(a)* the number of claims received in (i) 1999 and (ii) 2000, *(b)* the number which went to appeal in (i) 1999 and (ii) 2000, and the number which were turned down, *(c)* the number which went to tribunal in (i) 1999 and (ii) 2000 and in each year how many were turned down and *(d)* the

average time it took for a decision to be taken (i) initially, (ii) on appeal and (iii) on further appeal to the tribunal in (A) 1999 and (B) 2000. [157983]

Mr. Bayley: The available information is in the tables.

Disability Living Allowance claim, review and appeal decisions[1]

	1999	*2000*
Claims received	390,919	405,831
Reviews[3]		
Number received	307,903	263,840
All decisions	278,365	303,874
Successful[2]	91,994	122,632
Successful as percentage of all decisions	33	40
Appeals[3]		
Number received	49,166	104,578
All decisions	49,857	57,522
Successful[2]	24,051	27,159
Successful as percentage of all decisions	48	47

[1] Figures include reconsiderations and supersessions under the new system of decision making and appeals introduced in October 1999.
[2] Figures relate both to cases where benefit is awarded and cases where the value of an award is increased.
[3] Figures relate to cases at appeal tribunals.
Source:
DSS Information Centre: 100 per cent. data.

Average clearance times for Disability Living Allowance claims in days

	Year[1]		
Type of decision	*1998–99*	*1999–2000*	*2000–01*
New Claims (normal rules)	35.00	42.60	46.80
Reviews	49.70	64.30	—
Reconsiderations[2]	—	55.40	46.70
Supersessions[2]	—	67.50	58.20
Appeals	36.10	52.70	55.60

[1] The BA does not routinely collate figures by calendar year.
[2] Reconsiderations and supersessions were introduced in October 1999 under a new system of decision making and appeals.
Source:
BA Disability and Carer Benefits Directorate.

Foot and Mouth

Mr. Todd: To ask the Secretary of State for Social Security if he will review Social Fund adequacy and availability for those affected by foot and mouth disease. [157594]

Angela Eagle: I refer my hon. Friend to the written answer from my right hon. Friend the Secretary of State to my hon. Friend the Member for Doncaster, Central (Ms Winterton) on 30 March 2001, *Official Report*, column 795W.

Mr. Harvey: To ask the Secretary of State for Social Security if he will make it his policy *(a)* to review eligibility for Working Families Tax Credit and other benefits to take account of short-term drops in income as a result of the foot and mouth outbreak and *(b)* to make representation to the Chancellor of the Exchequer to disregard as income on savings any compensation payments paid by the Ministry of Agriculture Fisheries and Food whose purpose is to finance restocking of farms. [157837]

Dawn Primarolo: I have been asked to reply.

A new leaflet, WK11, "Foot and Mouth—Financial help you may get if your employment has been disrupted" has been produced to explain the financial help available to people, via the benefit and tax credit systems, whose employment or business is disrupted because of the foot and mouth outbreak. The leaflet is now available on the DSS website and stocks are being issued to local Benefits Agency offices, local authorities and other agencies in affected areas.

Compensation for the loss of a farmer's stock is treated as a business asset and will be disregarded when estimating income from personal capital.

Porton Down

Mr. Matthew Taylor: To ask the Secretary of State for Social Security how many former service personnel and members of their families have made appeals to the pensions appeal tribunals since 1 January 1999 regarding claims for disablement arising out of experiments at the Chemical Defence Establishment at Porton Down; and how many such appeals have been *(a)* approved and *(b)* rejected. [157303]

Mr. Bayley: The information is not available and could be obtained only at disproportionate cost.

Prisoners of War

Mr. Oaten: To ask the Secretary of State for Social Security how many applications for compensation by former POWs held in Japan have yet to be processed. [157518]

Mr. Bayley *[holding answer 9 April 2001]:* As at 6 April 2001, 18,302 payments have been issued and 5,629 applications are awaiting determination.

Departmental Policies (Ribble Valley)

Mr. Martyn Jones: To ask the Secretary of State for Social Security if he will set out, with statistical information relating as directly as possible to the Ribble Valley constituency, the effects on Ribble Valley of his Department's policies and actions since 2 May 1997. [157844]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Ribble Valley since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Ribble Valley 11,475 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Ribble Valley the number has reduced from 1,200 to under 500. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally; in Ribble Valley the number has increased from 500 to 600.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 19,500 older people in Ribble Valley have received a Winter Fuel Payment for this winter (2000–01).

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 18,800 pensioners in Ribble Valley will benefit from the substantial increases in the basic State Pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 7,500 in Ribble Valley. 2,100 pensioner families in Ribble Valley are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Departmental Policies (Tiverton and Honiton)

Mr. Martyn Jones: To ask the Secretary of State for Social Security if he will set out, with statistical information relating as directly as possible to the Tiverton and Honiton constituency, the effects on Tiverton and Honiton of his Department's policies and actions since 2 May 1997. [157810]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

Promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and

Combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000), sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Tiverton and Honiton since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Tiverton and Honiton 11,845 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Tiverton and Honiton the number has reduced from 1,500 to 700. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Tiverton and Honiton from 1,100 to 800.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 24,200 older people in Tiverton and Honiton have received a Winter Fuel Payment for this winter (2000–01).

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 22,500 pensioners in Tiverton and Honiton will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 9,900 in Tiverton and Honiton. 2,600 pensioner families in Tiverton and Honiton are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Home Visits

Mr. Brady: To ask the Secretary of State for Social Security, pursuant to his answer of 4 April 2001, *Official Report*, column 204W, on home visits, if he will provide information on a comparable basis on the numbers of home visits in each of the last five years. [157584]

Angela Eagle *[holding answer 9 April 2001]:* Information is available from April 1996. The number of visits made is as follows:

Year	*Number of visits*
1996–97	785,126
1997–98	483,692
1998–99	475,550
1999–2000	1,976,296

Income Support

Ms Harman: To ask the Secretary of State for Social Security if he will estimate the amount by which the reduction in Social Security spending in London was attributable to changes in the number of *(a)* people unemployed and *(b)* lone parents on Income Support in each year since 1996. [157141]

Mr. Bayley *[holding answer 9 April 2001]:* The estimated reductions in Social Security spending in London each year compared to a baseline of 1996–97 expenditure are shown in the table.

Estimated amount of reduction in Social Security spending attributable to changes in caseload (London)

£ million

Year	*Jobseeker's Allowance*	*IS Lone Parents*
1997/98	190	10
1998/99	270	50
1999/2000	350	70
2000/01	460	90

Notes:
1. Figures are based on a 5 per cent. sample from the Jobseeker's Allowance and Income Support quarterly statistical inquiries and are therefore subject to a degree of sampling error.
2. Figures rounded to the nearest £10 million.
3. November 1996 is the base quarter.
4. November 2000 quarterly expenditure has been used as a proxy for the February 2001 quarter, as data are not yet available for this quarter.

Occupational Pensions

Mr. Willetts: To ask the Secretary of State for Social Security how many occupational pension schemes were *(a)* opened, *(b)* closed and *(c)* wound-up in each year between 1979 and 2000. [157073]

Mr. Rooker *[holding answer 9 April 2001]:* The information requested is in the table.

Significant fluctuations in the number of occupational pension schemes opened, closed and wound up in any particular year largely take place in years when alterations were made to the pensions regulatory regime. For example, the Social Security Act 1986, which came into force in 1988, permitted contracting-out of the State Earnings Related Pension Scheme on a money purchase basis for the first time; the Pensions Act 1995, which came into force in 1997, contained measures to increase security for members of occupational pension schemes.

It is important to note that the increases and decreases in these figures do not necessarily reflect large alterations in the overall coverage of occupational pension schemes. For example, most of the schemes registered in the late 1980's and the vast majority of the schemes wound-up in the late 1990's were small schemes with few members.

Occupational pension schemes opened, closed and wound up in each year between 1979 and 2000

Year	*Number of schemes first registered in that year*[1]	*Number of occupational schemes with a frozen or closed status and a date of change within a particular year*[2]	*Number of schemes that wound up in that year*[3]
1979	4,766	401	10
1980	4,683	400	13
1981	4,628	350	18
1982	5,717	452	22
1983	6,768	546	28
1984	8,608	698	36
1985	10,959	770	37
1986	11,020	780	51
1987	12,415	879	66
1988	22,268	1,686	93
1989	11,493	747	133
1990	7,801	477	208
1991	12,367	636	640
1992	8,140	414	722
1993	6,602	332	924
1994	7,529	258	1,199
1995	6,603	190	1,624
1996	8,339	175	3,009
1997	6,195	181	25,294
1998	5,007	148	6,580
1999	3,559	62	7,859
2000	2,757	44	4,677

[1] Figures are based on registrable date which is the closest available information to indicate the start date of the scheme
[2] Figures may not be entirely accurate as there may be many schemes on the Registry's database that were once closed to new members but have now completed their winding-up
[3] Figures are based on the wound-up date of occupational pension schemes. Many of these schemes will have begun the wind-up process in an earlier year
Source:
The Pensions Schemes Registry

H. J. Wilson

Mr. Laurence Robertson: To ask the Secretary of State for Social Security when he will make a far east prisoner of war compensation payment to Gnr. H. J. Wilson, 118 Field Regiment RA, number 2558494. [157876]

Mr. Bayley: The administration of the ex-gratia payment scheme for former far east prisoners of war is a matter for the Acting Chief Executive of the War Pensions Agency, Alan Burnham. He will write to the hon. Member.

BEST COPY AVAILABLE

Letter from Alan Burnham to Mr. Laurence Robertson, dated 10 April 2001:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about Gnr. H. J. Wilson, 118 Field Regiment RA, number 2558494 and his entitlement to the Government's ex-gratia payment to surviving members of the British Groups who were held prisoner by the Japanese during the Second World War.

I can confirm that a request for a claim form was received by the Agency on 6 April 2001 and a form was sent to Gnr. Wilson the same day. Once the completed form is returned, his application will be considered straight away.

I hope this information is helpful.

Departmental Policies (Hampstead and Highgate)

Ms Glenda Jackson: To ask the Secretary of State for Social Security how many people in Hampstead and Highgate will benefit from the latest rise in Child Benefit. [158011]

Angela Eagle: The information as requested is not available.

However, the latest information shows there are 8,565 families with 14,964 children in the Hampstead and Highgate parliamentary constituency receiving Child Benefit.

Since 1997 the rate of Child Benefit for the first child has increased by 26 per cent. in real terms. The rates from April 2001 are £15.50 for the first child and £10.35 for all other children.

Notes:

1. Figures are based on the November 2000 100 per cent. extract of the Child Benefit computer system.

2. Cases are allocated to each parliamentary constituency by matching the postcode against the relevant version of the ONS Postcode Directory. Constituency boundaries are represented as at May 1997.

Ms Glenda Jackson: To ask the Secretary of State for Social Security how many people in Hampstead and Highgate are benefiting from the Disability Income Guarantee. [158018]

Mr. Bayley: It is estimated that in 2001–02 approximately 500 cases will benefit from the Disability Income Guarantee in the Hampstead and Highgate constituency.

Notes:

1. The figures are based on data taken from November 2000 5 per cent. scans of the Income Support and Disability Living Allowance computer systems.

2. Due to the small sample sizes involved these figures are subject to a high degree of sampling error and should be used only as a guide.

Ms Glenda Jackson: To ask the Secretary of State for Social Security if he will make a statement on the effects, with statistical information, on Hampstead and Highgate of his Department's policies since 2 May 1997. [158016]

Mr. Rooker: The Department's policies and initiatives have made a significant contribution to the Government's overall objectives of:

Eradicating child poverty in 20 years, and halving it within 10;

promoting work as the best form of welfare for people of working age while protecting the position of those in greatest need; and,

combating poverty and promoting security and independence in retirement for today's and tomorrow's pensioners.

These goals are being pursued nationwide and our achievements are set out in our annual "Opportunity for all" reports. Our second report, "Opportunity for all—One year on: making a difference" (CM4865, September 2000) sets out what progress has been made in the past year, as well as highlighting what more needs to be done. Nationwide statistical information is necessarily more complete than data at a local authority level, but the following provides a comparative guide to the effect of the Department's policies and actions in Hampstead and Highgate since May 1997.

Measures in our five Budgets so far will lift over 1.2 million children nationally out of poverty. These include record increases to Child Benefit, the introduction of the Working Families Tax Credit, increases in the income-related benefits, the minimum wage and tax changes.

Child Benefit will be worth £15.50 a week for the eldest child and £10.35 a week for other children from April 2001: nationally about 7 million families receive Child Benefit, and in Hampstead and Highgate 8,565 families benefit.

We now have the lowest unemployment rate in 25 years. The New Deals have helped lone parents, the young unemployed, the long-term unemployed, the over 50s and partners of the unemployed to move from benefit into work. In the period since May 1997 the number of people claiming Jobseeker's Allowance nationally has reduced from 1,562,400 to 960,600; in Hampstead and Highgate the number has reduced from 4,600 to 2,500. Since May 1997 the number of lone parents who claim Income Support has decreased from 1,013,500 to 894,100 nationally and in Hampstead and Highgate from 2,500 to 2,100.

Older people are disproportionately affected by fuel poverty. So we have introduced Winter Fuel Payments to help with their heaviest fuel bill. This winter, the payment is £200 for households who qualify. Around 13,700 older people in Hampstead and Highgate have received a Winter Fuel Payment for this winter (2000–2001).

To demonstrate our commitment to combating pensioner poverty, this year we will spend £4.5 billion extra in real terms on pensioners. Some 12,100 pensioners in Hampstead and Highgate will benefit from the substantial increases in the basic State pension this April and next; this year's increase is £5 a week for single pensioners and £8 for couples. In addition we have introduced free TV licences for the over 75s of whom we estimate there are about 6,000 in Hampstead and Highgate. 3,000 pensioner families in Hampstead and Highgate are receiving the Minimum Income Guarantee, which we introduced in April 1999 to help our poorest pensioners. From April they will be at least £15 a week, or £800 a year, better off in real terms as a result of Government measures since 1997.

Other reforms in the pipeline include: the new Pension Credit in 2003 designed to ensure that pensioners benefit from their savings; the launch of Stakeholder Pensions in April this year; and the introduction of the State Second Pension in April 2002 both of which will help provide greater security for tomorrow's pensioners.

Ms Glenda Jackson: To ask the Secretary of State for Social Security how many people in Hampstead and Highgate will benefit from the increase in Minimum Income Guarantee. [158010]

Mr. Rooker: We estimate that over 2 million pensioners in Great Britain as a whole will benefit from this April's increases to the Minimum Income Guarantee rates and capital limits. As well as those pensioners who might be newly entitled in Hampstead and Highgate, some 3,000 pensioners who are currently entitled will benefit from the increase.

Benefits Agency

Mr. Winnick: To ask the Secretary of State for Social Security, (1) pursuant to his answer of 5 April 2001, *Official Report*, column 260W, what is the average amount of time decision makers have been employed in the Benefits Agency prior to being appointed to that position; [158007]

(2) how many decisions made by decision makers in the Benefits Agency have been reversed in *(a)* 1998, *(b)* 1999 and *(c)* 2000; [157993]

(3) pursuant to his answer of 5 April 2001, *Official Report*, column 260W, how many decision makers in the Benefits Agency earn annually *(a)* between £10 and £12,000, *(b)* £12 to £15,000, *(c)* £15 to £18,000, *(d)* £18 to £25,000 and *(e)* more than £25,000; [158009]

(4) pursuant to his answer of 5 April 2001, *Official Report*, column 260W, what the procedure is whereby hon. Members may establish direct contact on behalf of constituents with a particular decision maker. [157977]

Angela Eagle: Staff are not employed specifically as decision makers and are not separately identifiable. It is not therefore possible to establish how long staff have been employed in the Benefits Agency prior to undertaking work which involves an element of decision making or the number of decision makers in the pay ranges specified.

Following the introduction of the decision making and appeals (DMA) provisions during the period July to November 1999 the Benefits Agency has collected data about the numbers of decisions across the major benefits that are revised internally following reconsideration. From the introduction of the DMA provisions until the end of March 2000, approximately 38,000 decisions were revised. From April 2000 to the end of February 2001 approximately 102,000 decisions were revised. This includes decisions that were revised following a request from the customer and those decisions that were revised on the instigation of the decision maker.

There is no formal procedure in place specifically for hon. Members to establish direct contact with an individual decision maker.

Individual decision makers will provide their name and a contact telephone number to customers when asked to do so. They will also include their name and contact number when issuing individual letters to customers. However, individual decision makers' names are not identified on Agency computer generated decision notices.

As the customer's representative, an hon. Member would be able to approach the individual decision maker, in the same way as any other representative, if they were of the view that it was appropriate to do so. However, as I stated in my written answer on 5 April 2001, *Official Report*, column 260W the accepted procedure has been for hon. Members to contact the Local Office Manager where a reply is required.

CABINET OFFICE

People's Panel Support Group

Dr. David Clark: To ask the Minister for the Cabinet Office if she will list the members of the People's Panel Support Group, indicating those who are civil servants. [158006]

Marjorie Mowlam: There are 19 members of the People's Panel Support Group. One is from the Thomas Coram Research Institute, one from the Local Government Association, one from the National Consumer Council and two from MORI, who administer the panel.

Among civil servants, there are up to five representatives from different parts of the Cabinet Office, two from the Department of Health, one from the Home Office, one from the Department of the Environment, Transport and the Regions, one from the Department for Education and Employment, one from the Employment Service, two from the Scottish Executive and one from the Office of the First Minister and Deputy First Minister for Northern Ireland.

Membership of the group is liable to change as individuals change jobs or responsibilities.

Dr. David Clark: To ask the Minister for the Cabinet Office what are the terms of reference of the People's Panel Support Group. [158008]

Marjorie Mowlam: The terms of reference for the People's Panel Support Group are

> "to advise the Modernising Public Services group [in the Cabinet Office] on issues relating to the use and development of the People's Panel".

Press Advisers

Mr. Simon Hughes: To ask the Minister for the Cabinet Office since 1996 which personal press advisers to Cabinet Ministers have been funded *(a)* in whole and *(b)* in part from public funds; for which Cabinet members they worked; how much they were paid; what staffing, accommodation and access to official information was provided for them; and if she will make a statement. [157310]

Mr. Stringer: Departmental press officers are appointed to serve Ministers and the Department in which they work. They are not appointed as personal press officers. Some special advisers advise on media related issues. Questions about them are a matter for the individual Ministers concerned.

Civil Service (Equal Pay)

Barbara Follett: To ask the Minister for the Cabinet Office if she will list the measures the Government have taken to ensure equal pay within the Civil Service since May 1997. [157693]

Mr. Stringer: Guidance was issued by the Cabinet Office to all Departments and agencies in October 1998 in order to raise awareness of the implications of equal pay legislation. The guidance was subsequently incorporated into the Civil Service Management Code which requires Departments and agencies to undertake periodic equal pay reviews.

The Modernising Government White Paper published in March 1999 set out the Government's plans to modernise the public services including their pay systems. The Civil Service response to the White Paper was set out in Sir Richard Wilson's report to the Prime Minister of December 1999. The report requires all Departments and agencies to review their pay and performance management systems.

In addition, virtually all Civil Service posts are underpinned by an analytical job evaluation system designed and tested to be free of any inherent gender bias. The main Civil Service job evaluation system was updated and equality tested before being issued to Departments and agencies in June 1999.

Promotional Campaigns

Mr. Lansley: To ask the Minister for the Cabinet Office if she will list the television, newspaper and radio advertising and other promotional campaigns conducted by *(a)* her Department, *(b)* its agencies and *(c)* its departmental public bodies, in each of the past five years, showing for each the expenditure incurred by her Department; and if she will make a statement. [153417]

Mr. Stringer: The information requested on television, newspaper and radio advertising undertaken by the Department is as follows:

Expenditure broken down to show amounts spent on television, newspaper and radio advertising

£

Campaign	*Television*	*Newspaper*	*Radio*	*Total*
1996–97				
Chartermark Awards	—	3,822	—	3,822
Open Government	—	66,110	—	66,110
Nolan Committee	—	20,721	—	20,721
Chartermark	—	56,450	—	56,450
Total	—	147,103	—	147,103
1997–98				
Standards in Public Life	—	34,767	—	34,767
Total	—	34,767	—	34,767
1998–99				
Party Political Funding	—	1,371	—	1,371
Commissioner for Public Appointments	—	7,139	—	7,139
Total	—	8,510	—	8,150
1999–2000				
Action 2000 Public Awareness	920,069	807,828	155,469	3,343,856
Civil Service Pension Scheme	—	771	—	771
Total	920,069	808,599	155,469	3,344,627
2000–01 to date				
Fuel Crisis Information	—	8,340	—	8,340
UK-Online	—	99,470	—	99,470
Total	—	107,810	—	107,810

Note:
All figures exclude VAT

Information on other departmental promotional campaigns is not held centrally and could be produced only at disproportionate cost.

The figures provided do not cover recruitment advertising.